

In re:)
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FOOTHILL/EASTERN)

TRANSPORTATION CORRIDOR AGENCY)

BOARD OF DIRECTORS HEARING.)
_____)

ORIGINAL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Mission Viejo, California

Thursday, January 12, 2006

BIEHL & BELL, et al.
CERTIFIED SHORTHAND REPORTERS


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REPORTER'S TRANSCRIPT OF
PROCEEDINGS, taken at 200 Civic
Center, City Council Chambers, Mission
Viejo, California, beginning at 9:32
a.m. and ending at 3:23 p.m. on
Thursday, January 12, 2006, before EVE
M. JAMES, Certified Shorthand Reporter
No. 9934.

1 APPEARANCES :

2
3 CHAIRMAN KEN RYAN
4 VICE CHAIRMAN JIM THOR
5 DIRECTOR LARRY AGRAN
6 DIRECTOR JERRY AMANTE
7 DIRECTOR LARA ANDERSON
8 DIRECTOR LISA BIST
9 DIRECTOR BILL CAMPBELL
10 DIRECTOR JIM DAHL
11 DIRECTOR LORRI GALLOWAY
12 DIRECTOR PETER HERZOG
13 DIRECTOR LANCE MacLEAN
14 DIRECTOR MARK MURPHY
15 DIRECTOR CHRIS NORBY
16 DIRECTOR DAVID SWERDLIN
17 DIRECTOR TOM WILSON
18 EX OFFICIO MEMBER CINDY QUON
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Mission Viejo, California

Thursday, January 12, 2006

9:32 a.m. - 3:23 p.m.

CHAIRMAN RYAN: Let's bring the directors January 12th meeting to order. Would you all stand and pledge allegiance to our flag and our country and then remain standing and Director Campbell will lead us in the invocation.

(The Pledge of Allegiance was recited and the invocation was read.)

CHAIRMAN RYAN: May we have the roll, please.

(Roll was called.)

CHAIRMAN RYAN: We have a quorum.

09:32 Good morning, everyone. Thank you for attending our meeting. We have one item on the agenda today, and that is the South Orange County Transportation Infrastructure Improvement Project, Final Subsequent Environmental Impact Report, commonly referred to as the Foothill South Extension.

09:33 And what I'd like to do before we start the meeting today is talk just a little bit about process and how we'll handle the meeting. Given the number of attendees and the public interest, our intent today is to take public testimony. And likely at

1 about 3:30 or so this afternoon continue this meeting
2 to the 19th, to a week from today, if information
3 comes up today that we need our staff to look at, et
4 cetera, that can occur and we would likely have board
09:33 5 discussion and the potential for action on this item
6 a week from today. So we want to make sure that we
7 allow for public testimony, and that's the intent of
8 our agenda today.

9 I know it's an emotional issue. There are
09:33 10 passionate feelings on both sides, both in terms of
11 support and in terms of opposition. It is my intent
12 today to conduct this meeting in a very professional
13 and dignified manner. This is not a football game.
14 This is not USC versus Texas, so we don't want
09:34 15 cheering, we don't want booing. If you're a USC fan,
16 we don't want crying at the end of the day, but the
17 intent is to not intimidate people.

18 We just took the pledge of allegiance to our
19 flag, which represents the liberty and freedom to
09:34 20 speak your mind here in America. So our intent is to
21 run a meeting that allows for those positions and
22 thoughts to be heard and to conduct a fair meeting.

23 The way that the meeting -- I know everyone
24 has busy schedules. The way we intend to handle the
09:34 25 meeting today is to ask for our staff report first.

1 That will take about 45 minutes or an hour. I'll ask
2 my fellow board members at the conclusion of our
3 staff report whether they have any questions. This
4 is, hopefully, not a time to take real positions on
09:34 5 it, but if there are questions about the information
6 that our staff presents to us, I'd ask our board
7 members to ask those questions at that time.

8 I have a couple of requests from some
9 elected folks and stakeholders who are on a very
09:35 10 tight schedule. Subsequent to that Q and A from
11 board members, I'll allow those folks to speak for
12 three minutes each. And then we -- probably more
13 than any other submittal, the Chief Maholly
14 (phonetic) folks, those that represent the Sierra
09:35 15 Club and the Surfriders, I've extended to them a
16 ten-minute opportunity to present their presentation
17 to us following those elected comments. And, also,
18 to the state parks, I've granted ten minutes for
19 state parks to present their position to the board.
09:35 20 And at that point we probably -- don't hold me to
21 this -- we should be right around 12:30 or so, we'll
22 take a short break, probably 15 minutes or so for the
23 board to have a luxurious lunch in the back and then
24 regroup.

09:35 25 And then what I'd like to do -- and I'm

1 going to conduct a fair meeting -- we'll have three
2 minutes each for speakers that would follow that,
3 both in favor and in opposition to the proceedings,
4 and our consideration.

09:36 5 What I would ask is that, if you can, fill
6 out those speaker forms. There is a box there, and I
7 know it is sometimes intimidating. Don't feel
8 compelled that you have to come up to the podium, but
9 we do have the box for you to check either in favor
09:36 10 or neutral or against the toll road, the decision
11 that's in front of us. And that will be noted and
12 will be part of our record and our consideration. So
13 you don't have to feel compelled that you have to
14 come up and speak, but if you do, I would ask after
09:36 15 we've gone through this process, try not to repeat
16 things.

17 This board is here to hear information for
18 our consideration. And even if somebody right before
19 you says something you agree with, it won't hurt my
09:36 20 feelings for you to stand up and say, "I agree with
21 what that person just said," and don't feel you have
22 to repeat information as we move into the afternoon.

23 So that's the intent and unless I have any
24 questions from my fellow board members, I do want to
09:36 25 thank Director MacLean, the mayor of Mission Viejo,

1 for letting me sit, actually, in his chair here today
2 and the City of Mission Viejo for opening up their
3 doors and being so gracious and allowing us to
4 conduct this hearing.

09:37 5 We do have the Saddleback Room, an overflow
6 room, for those who aren't seated here, with
7 television monitors. I will be asking when we get
8 into the public testimony, for groups of ten to come
9 and sit in these first two rows. We've got a couple
09:37 10 of TCA staff members that will help make sure that
11 that happens in a orderly manner so that we can get
12 as much testimony as possible today before we wrap up
13 at 3:30. That's the intent of the agenda.

14 Any questions of the board? Then I'd ask
09:37 15 our staff for a staff report, please.

16 MS. CLEARY-MILAN: Good morning, Chairman Ryan,
17 and directors. I'm Macie Cleary-Milan. I'm here to
18 give a presentation on the Foothill South Final
19 Subsequent Environmental Impact Report.

09:38 20 This is a map of the toll road system we're
21 all very familiar with. 51 miles are currently open
22 and 67 miles will complete it, with Foothill South
23 being the last 16 miles. The toll roads currently
24 take off 300,000 trips a day off of the existing
09:38 25 roadways.

1 This time line shows you how long we've been
2 working on this Foothill South project. In 1981, the
3 Foothill South was put on the maps of arterial
4 highways. And in '91 this board took an action on
09:38 5 the locally preferred alternative.

6 From that time we've been working very hard
7 with the collaborative, which I'll talk about later,
8 for a circulation in May of 2004. There have been
9 three environmental documents for this project. One
09:39 10 is 1981, one in 1991 and one in 2004. This
11 represents 24 years of study. And as a personal
12 note, I was in high school in 1981.

13 The collaborative process, in '94 an MOU was
14 formulated with the federal regulatory agencies, and
09:39 15 the TCA initiated a process to work with them on the
16 environmental document. The collaborative includes
17 Federal Highways Administration, the Environmental
18 Protection Agency, the Army Corps of Engineers, U.S.
19 Fish and Wildlife, Camp Pendleton, and Caltrans, and
09:39 20 over the last six years the collaborative has met 60
21 times.

22 To define the project's purpose and meaning,
23 to select the project that would be analyzed, review
24 the technical work and draft an Environmental Impact
09:39 25 Report and determine the least environmentally

1 damaging practicable alternative.

2 In 1999, the collaborative agreed with the
3 purpose and need for Foothill South. This was to
4 relieve the I-5 congestion and arterial road
09:40 5 congestion and accommodate access and good movement
6 on the I-5.

7 Where have we been? This is an historic
8 slide to talk about that. In 1991, there were three
9 alternatives that were analyzed. The CP, the BX, and
09:40 10 the no project. And in 1991, this board took an
11 action to select the CP as the locally preferred
12 alternative.

13 The collaborative has spent 15 and a half
14 months to determine the set of alignments to be
09:40 15 analyzed in the technical studies, and this slide
16 represents that group. The technical work occurred
17 between 2000 and 2004.

18 The collaborative agreed to these eight
19 alternatives that would be carried forward in the
09:40 20 draft EIS and EIR. That's both the federal and state
21 document. These alternatives -- there were 6 toll
22 road alternatives, those that go through San Clemente
23 and those that go around San Clemente, two nontoll
24 road alternatives, the widening of I-5, and the
09:41 25 widening of arterials. This draft went out in May,

1 and the public review period, which was 92 days,
2 concluded in August of 2004.

3 We'll now discuss the environmental analysis
4 that's been done for this project. All of these 19
09:41 5 technical areas were analyzed for the 24
6 alternatives. And you can see that there are those
7 for noise, air quality, biology, water quality,
8 socioeconomics. For these next series of technical
9 subjects, we will have our technical experts,
09:41 10 including traffic, water and coastal resources speak.

11 I'd like to introduce the first technical
12 speaker. This is Mr. Kendall Elmer. He worked
13 extensively with the collaborative and is an
14 associate with Austin Foust Associates. As a
09:42 15 specialist in transportation planning, he has
16 25 years of experience in the development and
17 application of traffic forecasting for projects in
18 Orange County and Southern California.

19 Kendall?

09:42 20 MR. ELMER: Thank you, Macie. Good morning,
21 board members. I'm here this morning to give you a
22 little bit of information on the traffic impact
23 analysis that was prepared. It was a very large
24 amount of traffic data that was actually prepared for
09:42 25 the study, and I'm here just to give you some key

1 information points and findings with respect to, in
2 particular, to a comparison of a no-action
3 alternative and what has become the preferred
4 alignment or preferred alternative.

09:42 5 First, a little quick background on some of
6 the process of the traffic impact study. Firstly,
7 the analysis itself was done based on
8 state-of-the-art practice of methodology. That's in
9 terms of both traffic forecasting and traffic
09:43 10 modeling, as well as traffic impact analysis
11 procedures.

12 Secondly, throughout the collaborative
13 process that Macie spoke about, the lengthy
14 three-and-a-half, four-year process, there was
09:43 15 involvement by a peer review traffic engineering
16 firm, DKS Associates, who virtually checked and
17 looked over and verified every step of our traffic
18 impact analysis process, beginning with the scoping
19 of the analysis, the preparation of the traffic
09:43 20 forecasting and traffic modeling procedures and,
21 finally, the traffic impact analysis procedures
22 themselves.

23 The last item there, the traffic forecast
24 procedures that we employed, and that's speaking in
09:43 25 terms of the traffic forecast volumes, essentially,

1 in and around South Orange County and North San Diego
2 County. The traffic modeling procedures have been
3 calibrated, and those forecasts have been accepted
4 and reviewed by the SOCTIIP collaborative and the
09:43 5 peer review traffic engineering firm. And it's also
6 been agreed upon by governing regional agencies, such
7 as the Orange County Transportation Authority, OCTA,
8 and the Southern California Association of
9 Governments, both key agencies that maintain and
09:44 10 watch over traffic forecasting procedures and
11 methodologies.

12 This first slide just shows some of those
13 assumptions that we were dealt or had to work with in
14 terms of the traffic forecasts in and around South
09:44 15 Orange County. One of the key locations is the I-5
16 Freeway at the San Diego County, Orange County
17 boundary. That's basically the entryway into our
18 primary traffic impact study area that is affected by
19 the Foothill corridor south.

09:44 20 Under existing conditions at the time that
21 this study was kicked off in 2001, the I-5 at the
22 county line was carrying approximately 126,000
23 average daily vehicles across the county border
24 during an average weekday.

09:45 25 One of the peculiar things that occurs or

1 unique things, aspects, of the I-5 at the county
2 border are the attractions in San Diego County during
3 the weekend. There's actually a much higher traffic
4 volume that typically occurs on a weekend day
09:45 5 compared to an average weekday, that was in addition.
6 That volume was 161,000 on a weekend compared to,
7 again, 126,000 during a standard weekday.

8 In terms of the traffic forecasts, we at
9 that time -- at the time that the study was done, we
09:45 10 looked at 2025 as a long-term build-out horizon. And
11 the traffic forecast volume at the county border was
12 a number -- was a forecast that was looked at
13 carefully and agreed upon by primarily the regional
14 governing agencies affected by that corridor.

09:45 15 The volume that was agreed upon basically by
16 the San Diego Association of Governments, SanDAG,
17 Southern California Association of Governments, SCAG,
18 and the OCTA are the three key players, as well as
19 Caltrans, I forgot to mention. Those four key
09:46 20 players collectively agreed upon the forecast and
21 prepared the forecast that we worked with in our
22 traffic study. That magic number, if you will, is
23 201,000 ADT during a standard weekday.

24 It's anticipated that the weekend to weekday
09:46 25 trend that is out there today will continue to occur

1 into the future. And using the same relationship as
2 exists today, we end up with a weekend estimate in
3 year 2025 of about 241,000 ADT, average daily trips,
4 versus 201,000 during a standard weekday.

09:46 5 To put it in comparison, the 91 Freeway
6 corridor at the Riverside/Orange County border
7 through the Santa Ana Canyon under existing 2001
8 conditions, that corridor, that freeway, was running
9 about 258,000 ADT. That's in excess of the 2025
09:47 10 highest-volume forecast under our conditions, 2025
11 conditions under a weekend.

12 There's a big difference between the amount
13 of capacity currently available on the I-5 at the San
14 Diego/Orange County boundary and the Riverside
09:47 15 Freeway. The Riverside Freeway today has four
16 general purpose lanes in each direction and two --
17 two express lanes, toll lanes. That's a total of six
18 lanes in each direction. In comparison, the I-5
19 presently at the Orange County/Riverside County (sic)
09:47 20 boundary has four general purpose lanes in each
21 direction. So if you forecast out to 2025
22 conditions, that would mean that we'd have nearly the
23 same amount of traffic that is currently using the 91
24 Freeway, but with essentially 50 percent less
09:47 25 capacity than the 91 Freeway currently has.

1 And we all know -- it's well known what the
2 conditions on the 91 through the Santa Ana Canyon are
3 today. It's hard to imagine conditions with even
4 less capacity, but trying to carry the same volume.

09:48 5 This next slide shows some of the key
6 comparative information of the no-action alternative
7 and the preferred alternative that was produced by
8 our traffic impact analysis procedures.

9 This slide highlights for a p.m. -- we just
09:48 10 selected kind of the worst case -- p.m. southbound or
11 p.m. peak hour conditions in South Orange County
12 under both the no-action and preferred alternative
13 case, and we're looking at two conditions. One on
14 the I-5 freeway and one on the arterial -- and
09:48 15 another on the arterial system in terms of key or
16 major intersection locations.

17 Those two items of analysis speak rather
18 directly to the purpose of the review that Macie
19 mentioned in terms of the improving conditions on the
09:49 20 I-5 and surrounding arterial system.

21 The information on the I-5 freeway, we
22 summarized it in terms of the amount of congestion
23 and delay that would occur. What the analysis
24 entailed for the I-5 is essentially every segment
09:49 25 between interchanges, essentially from the El Toro Y

1 down to the county border, we looked at every
2 individual link, understood the traffic forecast
3 volume and the capacity and, hence, were able to
4 identify the level of service at each individual
09:49 5 location and whether or not a deficiency occurred.

6 Furthermore, we carried -- or tried to bring
7 in a real-world effect, if you will, of what those
8 overcapacity conditions mean in terms of stop and go,
9 queuing and backup, things that occur in the real
09:49 10 world in terms of when congestion occurs at a given
11 segment.

12 Under the no-action alternative, the red
13 highlighted areas there essentially represent
14 stop-and-go traffic or close to gridlock conditions,
09:50 15 and the lighter orange conditions indicate where the
16 queuing effects are -- were the queuing affects the
17 upstream flows. And, essentially, under the
18 no-action condition, from all the way to the north
19 end of the study area, Alicia Parkway, down to the
09:50 20 center part of San Clemente, we're seeing
21 stop-and-go traffic or stop-and-go conditions or
22 slowed conditions because of the queuing.

23 In terms of traffic time, based on that
24 information we looked at the estimated travel times
09:50 25 of various origins and destinations. This particular

1 slide shows the estimated travel time it would take
2 under those conditions to travel from Oso Parkway in
3 Mission Viejo to the Laguna Hills area to essentially
4 the county line, and that was approximately one hour
09:50 5 of travel time. That's during the weekend PMT.

6 Also, on that no-action left half of the
7 slide, you see the dots along the major
8 intersections, along the Antonio/La Pata corridor,
9 which, in the future, will essentially provide
09:51 10 somewhat of a parallel route to the I-5.

11 Under the no-action conditions, we've got
12 four of the five major intersections along there
13 working deficiently or operating deficiently. And by
14 deficient in this case we mean travel of those
09:51 15 intersections would be a wait of more than one signal
16 cycle to pass through the intersection.

17 Looking at the width project condition on
18 the right side of the slide, we see dramatic
19 improvement both to the level of service and to the
09:51 20 travel times.

21 On the I-5 itself, we found under the
22 preferred alternative you'd have virtually no traffic
23 congestion conditions or serious congestion
24 conditions of the nature we saw under the no-action.
09:51 25 And the estimated travel final for that trip between

1 Oso Parkway and the county border during the p.m.
2 peak hour would be about 25 minutes compared to about
3 an hour.

4 We've shown for informational purposes on
09:52 5 this slide the travel time along the Foothill South
6 were it to be constructed. This would be the time
7 along the approximately 60-mile stretch from Oso
8 Parkway to its termination at I-5, and that's about
9 16 minutes, a little higher travel speed than would
09:52 10 be occurring on the I-5.

11 In terms of the arterial conditions, as you
12 see, all of those major intersections along the
13 Antonio Parkway/La Pata Corridor, we show with the
14 corridor they would operate acceptable or acceptably
09:52 15 or in acceptable conditions.

16 This next slide kind of homes in on some of
17 the local jurisdictional agencies, city agencies, and
18 what the general effects are in terms of alleviating
19 deficiencies, both on the freeway system and on the
09:52 20 arterial system.

21 Across the board we see dramatic improvement
22 to all of the jurisdictions. This is basically --
23 what you see on the slide basically entails those
24 locations in each city that are affected by the
09:53 25 Foothill Corridor, not necessarily entire -- entirety

1 of each city.

2 The numbers that you see here are a tally,
3 if you will, of the total either mainline freeway
4 segments that we identified as being deficient in
09:53 5 either the a.m. or p.m. peak hour, combined with the
6 intersection locations, major intersection locations
7 in the cities, again, under either a.m. or p.m. peak
8 hour conditions are forecast to be deficient.

9 Just running left to right, San Clemente,
09:53 10 under no action we showed -- identified ten locations
11 that were forecast to operate deficiently under the
12 no action case. That drops all the way down to one
13 location under the with-corridor and preferred
14 alignment alternative. Mission Viejo and San Juan
09:54 15 Capistrano each have 13 deficiencies. Under the no
16 action, Mission Viejo drops to less -- by more than
17 50 percent to six locations; San Juan drops even
18 further down to four locations; Rancho Santa
19 Margarita, seven locations deficient under no action
09:54 20 for their project; and the area that's affected in
21 Dana Point, two locations were deficient under the no
22 action, and those are virtually eliminated or
23 nondeficient under the with-corridor conditions.

24 That concludes my part of the traffic
09:54 25 presentation. James Brown has some further

1 information for you.

2 MR. BROWN: Good morning. I'm James Brown, the
3 chief engineer for the TCA. You're going to hear a
4 lot from the public and many constituents today as we
09:54 5 go through this proceeding. Some of -- few will, I
6 think, dispute or disagree with the information that
7 Kendall just presented, in that we do have a serious
8 traffic problem in South Orange County. And that
9 problem is going to get worse as we move forward into
09:55 10 the future and it's going to grow substantially, but
11 some will assert that an I-5 widening alternative is
12 a better choice than the one that is being
13 represented by staff today. And they will suggest
14 that it can be done with a fraction of the impact our
09:55 15 analysis indicates is the case.

16 We have evaluated these opposing studies and
17 the explanation for that difference in opinion of
18 what those impacts are is simple. They are simply
19 evaluating a fraction of the improvements that are
09:55 20 necessary to, in fact, solve the congestion problem
21 in this area.

22 We work in conjunction with Caltrans, using
23 the detailed traffic analysis that was conducted
24 during the course of the evaluations, designs of not
09:55 25 only improvements and widening the I-5, but the

1 associated interchanges along that segment of the
2 freeway.

3 Any of you who travel the I-5 today
4 understand that most or a majority of those
09:56 5 interchanges operate at a deficient level of service
6 today. Many of those interchanges, the traffic backs
7 up on the ramps onto the freeway, creating dangerous
8 conditions and congesting and impacting the mainline
9 freeway. If we don't improve those interchanges,
09:56 10 simply adding an additional lane to the I-5 will not
11 solve the problem.

12 So working with Caltrans, using accepted
13 design criteria standards, we developed the designs
14 and evaluated those through the technical process.
09:56 15 And, unfortunately, the vast majority of impacts to
16 the local communities are directly related to those
17 interchange improvements, rather than simply adding a
18 lane or additional lanes to the I-5 or to the
19 arterials.

09:56 20 And the impacts are large to those
21 communities. They're assessed at well over 800 homes
22 for the I-5 widening or the AIP, which is widening
23 the I-5 combined with arterial improvements. This
24 was studied on the same basis as all of the other
09:57 25 alternatives.

1 And at the end of the day, the
2 collaborative, who was tasked with determining what
3 alternatives would be chosen to move forward and what
4 ultimately would be selected as the preferred
09:57 5 alternative, came to the conclusion, recent
6 conclusion, that due to the high socioeconomic
7 impacts, due to the large costs of the improvements
8 on the I-5, and to the fact that there was no project
9 sponsor or no identifiable means of financing that
09:57 10 particular project, that it would be no longer
11 considered or move forward as the preferred
12 alternative.

13 Now, the final slide is a picture of a
14 segment of the freeway through San Clemente. And as
09:57 15 you can see, there are quite a number of interchanges
16 and bridges that would have to be upgraded, and the
17 impacts are significant. The AIP alternatives on the
18 I-5 require an upgrade of 21 interchanges, 10
19 additional bridges, and those impacts are
09:58 20 significant.

21 With that, I'd like to introduce Scott
22 Taylor, who will be addressing water quality issues.
23 Scott has 20 years of experience. He's a registered
24 civil engineer, his expertise is in the area of flood
09:58 25 control and surface water quality. He's been

1 involved in extensive research projects relative to
2 best management practices for roadway runoff,
3 development, treatment. And he's here to speak to
4 you about our runoff management plan and water
09:58 5 quality features.

6 MR. TAYLOR: Thanks, James.

7 I'd like to preface my comments here by
8 saying there's been a lot of study into highway
9 runoff quality in the past ten or 15 years. In fact,
09:58 10 there's a case in point that Caltrans has recently
11 completed that I consider to be a landmark study into
12 BMP, that's best management practice performance.
13 And that was done in conjunction with the NRDC and
14 USEPA over a period of about five years and at a cost
09:59 15 of over \$15 million.

16 Now, some of the findings of that study were
17 incorporated into the program we developed for the
18 corridor. In fact, the corridor program that we
19 developed was designed to respond to the requirements
09:59 20 of the Caltrans statewide storm water permit, as well
21 as requirements of the State Water Resources Control
22 Board and the Regional Water Control Boards.

23 So the first slide we're showing here is
24 just kind of an overview of the project as it passes
09:59 25 through the primary two watersheds, which is San Juan

1 Creek and San Mateo creek. Next slide.

2 We put this pie chart together just to give
3 you context for the change in the land use after the
4 project is completed. As you can see, the new
09:59 5 highway represents about .2 percent of the watershed
6 area in San Juan Creek watershed, and about
7 .3 percent of the San Mateo Creek watershed. And
8 that's as compared to some of the other land uses
9 such as commercial and residential, which in most
10:00 10 cases, as you can see, are substantially higher.
11 Next slide.

12 But I want to talk about the treatment
13 system. And we put together a kind of a unique
14 collection system for the project. And that'll
10:00 15 separate the roadway runoff from the runoff from
16 adjacent slope areas and off side areas. And the
17 reason we did that was really twofold.

18 First, we wanted to facilitate collection of
19 the roadway water for treatment and, second, we
10:00 20 wanted to make sure that the sediment that comes off
21 of those off side areas continues to flow unimpeded
22 down to the ocean. So this roadway-only water is
23 going to be collected, then, and discharged into one
24 of 12 extended detention basins, and I'll talk a
10:00 25 little bit more about those in a minute.

1 First, I wanted to point out one of the
2 project benefits as I see it. There's a portion of
3 I-5 that is currently -- it does not receive any
4 treatment for storm water that will be treated as
10:01 5 part of this project. And that's shown on this slide
6 up here, kind of the blue hatch portions, and about a
7 two-mile stretch. And I think this is especially
8 important given the proximity of this reach of
9 roadway to the Trestles surfing beach. We calculated
10:01 10 that there's about 5 million gallons of runoff that
11 are going to be treated in the after-project
12 condition that currently in any given year would not
13 receive treatment. Next slide, please.

14 I guess one more point along those lines,
10:01 15 when you're talking about controlled access highways
16 within Orange County, really, none of those receive
17 any treatment for storm water runoff, with the
18 exception of those that have been constructed by the
19 TCA. So this is a schematic of an extended retention
10:01 20 basin.

21 This is a device that we selected to serve
22 as kind of our backbone treatment system for the
23 corridor. And this is one of the devices that was
24 studied in that Caltrans research project that I
10:02 25 alluded to and found to be suitable for the treatment

1 of highway runoff. We'll collect the highway runoff
2 into and discharge it into this detention basin where
3 it'll be stored for average minimum of 24 hours so
4 the pollutants can settle out prior to the water
10:02 5 being discharged.

6 Now, I'd also like to point out that
7 Caltrans has developed some pretty extensive
8 maintenance protocols for these devices as a part of
9 the study they went through with the NRDC and USEPA,
10:02 10 and they stand ready to implement those. On top of
11 that we've got TCA that is going to ensure
12 maintenance of the basins and is going to ensure that
13 they are operating as designed for the first five
14 years. I think that can give us a lot of confidence
10:02 15 that this system is going to operate as intended.

16 And with that, I guess I'll turn it back
17 over to Macie.

18 MS. CLEARY-MILAN: I would like to introduce
19 Mr. Dave Scully, who is a licensed civil engineer
10:03 20 specializing in coastal processes. He has worked at
21 the Center for Coastal Study at Scripps Institution
22 of Oceanography for 17 years. He has 30 years of
23 experience in coastal engineering and over 40 years
24 of experience as a surfer. He is currently vice
10:03 25 president of GS Oil in Carlsbad.

1 MR. SCULLY: Thank you, Macie, and good morning
2 and thank you for listening to me.

3 I think I have -- I'm in the hot seat here.
4 I think I'm talking about one of the more
10:03 5 controversial issues with regard to this project.
6 And as a result of community input early on, the TCA
7 hired -- retained our services to determine the
8 potential impacts of the project on the surfing
9 resources at the mouth of San Mateo Creek. It's
10:04 10 about a third of a mile away from the project.

11 The one thing that I think everybody agrees
12 on is that the surfing resources there are
13 world-class, world-renowned. There's no controversy
14 there.

10:04 15 As part of our work we met with the
16 Surfrider Foundation in early 2000. And at that time
17 they identified two areas of concern that they had,
18 water quality and actual physical changes to the surf
19 spots as a result of the project impacts within the
10:04 20 watershed. The water quality concerns were just
21 addressed by Mr. Taylor. Next slide.

22 Because there's really not much precedent
23 for determining impacts of projects on surfing
24 resources, this is just something that's happened
10:04 25 maybe in the last decade, before surfing resources

1 were usually lost as a result of people not caring
2 about -- Dana Point Harbor is a good example. But in
3 order to determine how this is going to impact
4 surfing resources, I employed a typical tool that
10:05 5 coastal engineers use, and it's called a sediment --
6 shoreline sediment budget. And basically it's a
7 methodology for determining impacts of a proposed
8 project on coastal processes.

9 The U.S. Army Corps of Engineers has
10:05 10 performed a sediment budget for this area, part of
11 the Oceanside lateral south. This graphic
12 illustrates the components of the budget. Quite
13 simply, the black arrows are inputs of sediment to
14 the shoreline and the white arrows are losses of
10:05 15 sediment.

16 The only component of the budget that this
17 project impacts is the input of sediment from San
18 Mateo Creek. And as you can see, that varies from
19 zero to 300 cubic yards of material. The 300 cubic
10:06 20 yards of material would be an extreme event, 50-,
21 100-year storm-type rain runoff.

22 One thing you should note is that it takes a
23 about a ten-year recurrent interval event to breach
24 of the berm. So for any years where we have less
10:06 25 than ten-year-type events, there's no sediment

1 delivered to the shoreline at San Mateo Creek from
2 the creek. Okay.

3 The transport rate -- the other interesting
4 thing to note is the transport rate of sand moving
10:06 5 along the shoreline varies from 100,000 to 300,000
6 cubic yards of material a year. That's the net
7 transport. The gross transport could be on the order
8 of 500,000. By that I mean we have sediment moving
9 in both directions during -- if you look at over a
10:06 10 whole year, 500,000 cubic yards of sand could be
11 moving from the north to the south, and 300 cubic
12 yards from the south to north, giving you a net of
13 200. So there's a tremendous -- the point is there's
14 a tremendous amount of sediment moving along the
10:07 15 shoreline regardless of what comes down that creek.

16 Now, the watershed studies pointed out two
17 important facts. The first is that the project will
18 reduce the delivery of sediment to the shoreline by
19 only about 2 percent, and that's under the most
10:07 20 onerous conditions. Not your typical one-year
21 conditions, we're talking about 25-, 50-year-type
22 conditions.

23 The second fact -- and this is really
24 important too -- is that the area where the proposed
10:07 25 road lies is on the upper reaches of the watershed

1 along the edge and it's built on material that's
2 characterized as siltstone. Now, if you go to the
3 AASHTO manual or wherever your source is, silt stone,
4 when eroded, reduces to silt with very little sand,
10:08 5 always usually less than 15 percent sand. So how
6 does this all add up?

7 Under high flood condition events, more than
8 ten-year occurrence interval events, the project
9 could prevent about 90 cubic yards of material,
10:08 10 sediment, coming down to the shoreline, or actually
11 sand.

12 Now, this is not significant when you
13 compare it to the amount of long shore transport of
14 200,000 cubic yards. It's .05 percent. Well, how
10:08 15 much is 90 cubic yards of sand? It's about the
16 volume of a two-car garage. Okay. That's how much
17 sand it is, and that's over a whole year being
18 delivered.

19 Now, if you take that sand and spread it
10:08 20 over five acres, which is smaller than the size of
21 the San Mateo Delta, your sand would only be
22 one-tenth of an inch thick. This slide that just
23 came up, you know, in an effort to look at -- my
24 first conclusion was that this has very little impact
10:09 25 on the delivery of sand to the shoreline.

1 The next thing I wanted to look at is how
2 dynamic is the shoreline in the vicinity of the
3 surfing resources. Is it really -- is it very
4 fragile? Is it very sensitive to certain amounts --
10:09 5 small amounts of sand? In order to do this, what I
6 did is I went and researched historical aerial
7 photographs, and I overlaid them using the railroad
8 track, which hasn't moved in years, and I overlaid
9 them when we plotted the shoreline.

10:09 10 What you really see here is that over the
11 70-year period the shoreline has moved back and
12 forth, which -- and that maximum distance is about
13 700 feet, and that 700 feet of change occurred in
14 less than a decade. So it's really a dynamic area.
10:09 15 It's not a sensitive area. Next.

16 This is the San Mateo Creek Delta. This is
17 where the surfing resources are located. This makes
18 up the delta. This is the foundation for the surfing
19 spots are these large cobbles. Now, the creek -- or
10:10 20 this delta is very robust because it's comprised of
21 these cobbles, and these things are very hard to
22 move. They do move in large waves, but they don't
23 get picked up, they don't get moved like sand, they
24 don't get moved like silt. They're pretty much
10:10 25 stable. This delta formed over hundreds, if not

1 thousands of years. It's a very robust and resistant
2 geologic feature.

3 Now, again, the proposed project alignment
4 is on the ridge of the watershed and in siltstone, so
10:10 5 it's not going to have anything to do with cobbles
6 and it's not going to change this delta. There's no
7 change in the delivery of cobbles to the shoreline.
8 Next slide.

9 The difference between the preproject
10:11 10 delivery of sand to the shoreline and the
11 postproject delivery to the shoreline is very small
12 when compared to the amount of material that's moving
13 along that shoreline. I say that it's insignificant.

14 The reason the waves are so good on the
10:11 15 delta is because wave energy is focused on it.
16 That's what creates the surf spots. That's why the
17 waves are usually a little bigger there than up or
18 down the coast. It's these waves that move that sand
19 along, making it a very dynamic area. Sand that's
10:11 20 delivered to the shoreline is moved away rapidly.
21 Again, there's no delicate balance of small
22 quantities of sand here.

23 So basically the conclusion here is that the
24 surfing resources in the vicinity of San Mateo Creek
10:11 25 are not sensitive to very small changes in the

1 sediment either delivered along the shore or from the
2 creek.

3 The project will have an insignificant
4 impact on the transport of sediment to the shoreline.
10:12 5 The project will have no measurable effect on surfing
6 resources. Thank you.

7 CHAIRMAN RYAN: Thank you.

8 MS. CLEARY-MILAN: I would now like to discuss
9 some other areas of interest. One is the state park
10:12 10 lease. The state park lease is comprised of four
11 separate subunits as shown on this map. There is
12 camping in both Subunits 1 and 4 and day use in 2 and
13 3. The alignment only goes through Subunit 1.

14 Right now, currently, there's an existing
10:12 15 road that extends through Subunit 1 providing access
16 to Camp Pendleton. Where we are here on this slide
17 is approaching the campground which will be on the
18 road right.

19 There are also numerous high-voltage power
10:12 20 lines throughout the subunits. These lines provide
21 power from the San Onofre power plant and are on a
22 leased easement to San Diego Gas & Electric and
23 Southern California Edison.

24 This slide shows the entrance and a typical
10:13 25 campsite at San Mateo campground. There are

1 currently 161 campsites in the campground. The San
2 Mateo Creek is an intermittent creek that is adjacent
3 to the southern portion of the subunits.

4 This is the trail that provides access to
10:13 5 the beach under the existing I-5 bridge. This access
6 will remain during and after construction.

7 This shows San Mateo Creek near Trestles,
8 and as was covered before, the creek does not breach
9 into the ocean except during high-flow storms.

10:13 10 The distance from the campground to the
11 beach is one and a half miles. The above campgrounds
12 that are south of this area and include 176 spaces,
13 three miles south of this area, none of those beach
14 campsites are effected.

10:14 15 The Department of Navy owns the property
16 where the park is located. It was leased to the
17 California Department of Parks in 1971 for 50 years
18 and the lease will expire in 2021. The Navy reserved
19 the right to grant easements for other uses,
10:14 20 including highways. And congress authorized the Navy
21 to grant roadway easements to TCA specifically. The
22 military maintains its right to train on the state
23 park's lease area.

24 In 1981 Foothill South was based on the
10:14 25 master plan of arterial, and the campground was built

1 in 1989 by San Diego Gas & Electric for the expansion
2 of a parking lot at San Onofre power plant.

3 Engineering of the preferred alternative avoids all
4 of the 161 campsites. The closest campsite in the
10:14 5 campground is almost 400 feet away from the
6 alignment. As a comparison, the campsites in Subunit
7 4 are 225 feet from I-5 and 130 feet from the
8 railroad tracks.

9 A visual analysis was completed to show
10:15 10 existing end views with the project. This depicts
11 the view from the campground towards the alignment
12 with the sound wall provided. In time trees will
13 obscure the sound wall and native habitat will soften
14 the view of the slope.

10:15 15 This is a view from the beach trail and
16 demonstrates what users will see. Currently, I-5 is
17 visible. And this is the view from the ocean towards
18 the shore.

19 A sound wall will be constructed at the
10:15 20 campground -- near the campground to mitigate noise
21 below federal highway standards and to minimize
22 visual impacts. Again, the trail will be maintained
23 during and after construction. TCA has proposed
24 improvements to state parks to enhance the camping
10:16 25 experience.

1 This is a list of the biological resources
2 that we studied. This is the threatened and
3 endangered species. There are no impacts to the
4 least Bell's vireo, Pacific pocket mouse, the
10:16 5 southern steelhead, the southwestern flycatcher and
6 the tidewater Goby. Federal Highways and TCA has
7 received a preliminary no-jeopardy determination from
8 U.S. Fish and Wildlife on these species.

9 Another area of interest is the Donna O'Neil
10:16 10 Conservancy. This conservancy is a private, open
11 space reserve that is 1,200 acres. It was created by
12 Rancho Mission Viejo in 1991 and put aside as open
13 space, not for its habitat value, as a condition to a
14 zone change.

10:16 15 The conservancy is a nonprofit organization,
16 with a board including the County of Orange, the City
17 of San Clemente and Rancho Mission Viejo. It is not
18 open to the public, but available by guided tours
19 only.

10:16 20 The collaborative shifted the alignment
21 westerly into the conservancy to avoid wetlands and
22 maximize wildlife connectivity to the east.

23 Now we'll move to the selection of the
24 preferred alternative. The collaborative evaluated
10:17 25 numerous -- each issue in determining what the

1 preferred alternative would be. These include
2 minimizing wetlands impact, minimizing wildlife
3 impact, minimizing community impact, consistency with
4 the NCC open space reserve, and the comments and
10:17 5 responses on the draft environmental document.

6 After the public circulation of the draft
7 EIR, the collaborative determined that the I-5
8 alternative, although it reduces I-5 congestion, was
9 the most costly and had no funding. It removed 838
10:17 10 homes and 382 businesses. The arterials-only
11 alternative had, again, no funding. It provided poor
12 traffic relief on the I-5, and had impact to 263
13 homes and 17 businesses.

14 The collaborative also concluded that the
10:18 15 CC, although it did provide good traffic relief, had
16 the greatest wetlands impacts and removed 763 homes
17 and 106 businesses. The short alternatives, which
18 ended at Avenida La Pata, do not provide improvement
19 in traffic and removed 172 for the light orange
10:18 20 alternative, and the 112 homes for the dark orange
21 alternative. The collaborative concluded that the
22 green alignment is the preferred alternative.

23 The alignment will be 16 miles long, four
24 lanes, total, two in each direction, with five
10:18 25 interchanges, 1 mainline toll plaza and two ramp

1 plazas. There will be traffic relief and increased
2 mobility in South County. The number of congested
3 I-5 segments are reduced by 70 percent and the number
4 of congested intersections reduced by 50 percent.
5 There will be improved water quality on the I-5 and
6 it provides an alternative emergency route.

7 In consultation with the collaborative, the
8 project avoids and minimizes environmental impacts by
9 limiting the road to six lanes, avoiding two sorrel
10:19 10 wetlands. The alignment was shifted westerly, away
11 from sorrel wetlands to near Sorrel High School. It
12 avoids the corridor mitigation area; bridges over
13 both San Juan and San Mateo Creeks, allowing the
14 water to continue to flow and wildlife movement. And
10:19 15 we've reduced the number of column structures to
16 minimize impacts of habitat areas near the creek. It
17 avoids Avita Wetlands and the Pacific pocket
18 mouse-occupied habitat.

19 This slide represents the reduction of
10:20 20 impacts over time and is my personal favorite slide.
21 What this shows, as you move from left to right, is
22 the progression as the collaborative has worked on
23 this project over the last six years on improving and
24 reducing the environmental impact for the project.

10:20 25 What is of special note is the wetlands.

1 The wetlands, when the alignment was selected had
2 17 acres of wetlands impact. We are now down to less
3 than one acre of wetlands.

4 The following slide represents the ongoing
10:20 5 planning efforts in the area since the release of the
6 Environmental Impact Report. In November of 2004,
7 the County of Orange approved the Rancho Mission
8 Viejo Ranch Plan, with 14,000 dwelling units and over
9 1 million square feet of commercial use. This plan
10:20 10 also includes a transportation and circulation
11 system.

12 In August of 2005, the County of Orange and
13 Rancho Mission Viejo entered into a settlement
14 agreement with the Endangered Habitat League, the
15 Natural Resources Defense Council, Sea and Sage
16 Audubon, Laguna Greenbelt and the Sierra Club. This
17 agreement approves RMV development plan that includes
18 a roadway system and other necessary infrastructure.

19 Foothill South is compatible with the
10:21 20 regional planning processes. It preserves large
21 blocks of open space and retains wildlife corridors
22 and it includes 15 wildlife crossings. It's
23 compatible with the approved RMV, Rancho Mission
24 Viejo, land use plan settlement agreement and the
10:21 25 NCCP open space reserve. And, again, the preferred

1 alternative, reduce environmental impacts from the
2 previous alignment.

3 The Marine Corps is neutral on Foothill
4 South. They agreed in 1988 that one alignment could
10:21 5 be studied, and that alignment be as close to the
6 northern border as possible. The alignment must not
7 impact their training or optional flexibility. The
8 preferred alternative meets these criteria.

9 The TCA has an extensive mitigation program,
10:22 10 and for this project we will have project design
11 features. These are specific elements that are
12 incorporated into the project, like wildlife
13 crossings, extended detention basins, sound walls and
14 landscaping while also complying with standard
10:22 15 conditions and regulations. And we have 182
16 mitigation measures that were put together for this
17 project. These are specific to minimize and reduce
18 significant effects on the environment.

19 A conservation area will be included as
10:22 20 mitigation in a combination of preservation and
21 future restoration. The TCA purchased the
22 conservation easement in 1996 and we've been managing
23 it since. The agreement provides 327 mitigation
24 credits for impacts, plus 250-acre credits on Rancho
10:22 25 Mission Viejo land.

1 The collaborative, including the Army Corps
2 of Engineers and the EPA, determined that the green
3 alignment was the least environmental damaging,
4 practicable alternative.

10:23 5 The EIR concludes that the green alignment
6 best meets the future need for local and traffic
7 mobility with least impact to local communities and
8 the natural environment.

9 Staff is recommending today certification of
10:23 10 the TCA Final Subsequent Environmental Impact Report
11 No. 4 and selection of the green alignment as the
12 locally preferred alternative. This concludes my
13 presentation.

14 CHAIRMAN RYAN: Thank you for that thorough
10:23 15 presentation. I know that we received letters after
16 the deadline that are on our dais. Have those been
17 evaluated for any new information as a result of
18 that?

19 MS. CLEARY-MILAN: What you have before you are
10:23 20 22 letters that were received on the final EIR, and
21 the staff, TCA staff, consultants and attorneys have
22 reviewed these and there are no new issues raised.
23 All these issues have been addressed in the
24 subsequent ERI and response to comments.

10:24 25 CHAIRMAN RYAN: Any questions of our staff or

1 board members at this time? Okay. Seeing none,
2 we'll move into public comment.

3 Thank you for that report. I know you're
4 going to be here all day in case anything comes up.

10:24 5 There were, as I indicated at the beginning
6 of the meeting, a few folks, elected officials, that
7 need to leave. And so I am going to ask if we can do
8 this in groups of ten to move this along. We want as
9 much information as possible today. I'm going to
10:24 10 read these names off and if you can come forward, we
11 got someone from our staff to help guide you where
12 you're supposed to sit and all that.

13 At this time, Assemblywoman Mimi Walters,
14 Marian Bergeson, Catherine De Young, Karl War- -- I'm
10:24 15 sorry, today I'll do the best I can with names --
16 Warkomski, Trish Kelley, Shari Mackin, Jason Vasquez
17 and Lori Danichek. These will be first ten speakers
18 here this morning.

19 Come on up.

10:25 20 MS. WALTERS: Good morning, Chairman Ryan, and
21 members of the board. I'm Assemblywoman Mimi
22 Walters, representing the 73rd Assembly District.

23 The Foothill Corridor goes throughout the
24 heart of my district. The completion of the last
10:25 25 16 miles of the Foothill Corridor is critical, not

1 just to Orange County, but to all of Orange County
2 and the surrounding region. In fact, I believe it is
3 so critical to the future of our transportation
4 system, our economic viability, our ability to go to
10:25 5 and from work and our quality of life, that I flew
6 down today from Sacramento to speak to you, missing
7 today's Assembly floor session.

8 The last 16-mile segment of this system,
9 Foothill South, embodies the governor's Go California
10:25 10 Plan and the vision he outlined for our
11 transportation system in the State of the State
12 Address. Foothill south is the critical final piece
13 of Orange County's 51-mile public toll road system.
14 And I'd like to emphasize that this corridor has been
10:26 15 on the master plan arterial highways for 25 years.

16 This \$4 billion structural investment is a
17 great example of balance, of how a major road can be
18 financed and built, a road that is environmentally
19 sensitive, built with local funds with no increase in
10:26 20 taxes. Studies shows that if this is done to --
21 studies show that if nothing is done to improve
22 traffic by 2025, the I-5 experience will experience
23 traffic levels similar to the gridlock on the 91
24 Freeway today.

10:26 25 I ask you today to please certify the EIR

1 and adopt the locally preferred alternative, the
2 green alignment. Thank you for your time.

3 CHAIRMAN RYAN: Thank you for taking time to
4 come here this morning.

10:26 5 Marian Bergeson.

6 MS. BERGESON: I will pass.

7 CHAIRMAN RYAN: Catherine De Young.

8 MS. DE YOUNG: Good morning, Chairman Ryan, and
9 members of the board. I'm Catherine De Young, mayor
10:27 10 of Laguna Niguel. I'm speaking here today
11 individually because our city hasn't taken a position
12 on this issue yet or I don't know if we will.

13 Increasing traffic congestion threatens the
14 quality of life for all Orange County residents,
10:27 15 particularly those in South Orange County. Who
16 amongst us would not want to spend their evenings
17 sitting in traffic, but would rather be home with
18 their families? The toll system plays an important
19 role in keeping traffic moving throughout South
20 County.

21 Completing our toll system not only gives us
22 a necessary alternative to commuters who use the toll
23 roads, but it also reduces congestion on freeways
24 such as I-5. That being said, there are some
10:27 25 concerns that have been raised by prominent and

1 responsible environmental protection organizations
2 that should be addressed. I have three suggestions
3 for the board to consider.

4 First, clearly, measures must be taken to
10:28 5 minimize and clean the oil and gasoline and other
6 toxic substances that accumulate on every major road.
7 Those concerns must be fully addressed by this board.
8 Those -- the protocol has been questioned, however.

9 I'm proposing an independent study that
10:28 10 would review the protocol procedures, the best
11 practices approved by the TCA, and give the community
12 the assurance that they need that every effort has
13 been made to make sure that the pollutants are taken
14 out of the water.

10:28 15 Now, secondly, let's go to the issue of
16 Trestles Beach. Trestles, as we all know, is an
17 absolutely phenomenal beach. The waves, my son tells
18 me, are the best ever in South County. It is a
19 premier surfing spot and it must be preserved.

10:28 20 I have reviewed the report from TCA that the
21 TCA extension will not impact Trestles Beach,
22 particularly the formation of the waves that are so
23 incredible. The Surfriders Foundation does not
24 agree, however. I think there's a solution that can
10:29 25 address this problem.

1 I would ask the TCA to consider working with
2 the Surfriders Foundation to hire a mutually
3 agreed-upon engineering firm to analyze whether there
4 will, in fact, be an impact on the surf grade at
10:29 5 Trestles Beach. If the report concludes there is no
6 impact, then you have very persuasive evidence to
7 present to the Coastal Commission. If on the other
8 hand the independent report finds there is an impact,
9 then there should be ways that look at to mitigate
10:29 10 that impact. And whether or not that includes a
11 redesign of that section or other measures, that
12 remains to be seen.

13 The report would provide assurance to the
14 surfing community, the residents of San Clemente who
10:29 15 use the beach regularly, and the residents of South
16 Orange County. This would be going above and beyond
17 what the EIR process requires. However, it is
18 significant to preserve Trestles Beach. And I ask
19 you to consider this proposal. Both sides benefit
10:30 20 from it and most of all the public benefits from it
21 from an objective, independent analysis of this
22 issue, and it's just the right thing to do.

23 Third, there are legitimate concerns that
24 have been raised about the impact on the park site at
10:30 25 San Mateo campground. Now, I actually have spent a

1 couple weekends on a Girl Scout sleepover at San
2 Mateo campground. It's not an absolutely ideal,
3 pristine environment.

4 However, I will tell you what the board
10:30 5 could consider doing is it could consider mitigating
6 because, indeed, you're going to have impacts by
7 having the toll road close to that parkway. But it
8 could consider mitigating this impact by either
9 trading property with other federally owned leased
10:30 10 land that are in better locations, or by expanding
11 the San Onofre campground.

12 So addressing these environmental concerns I
13 think is not only good policy, but will ultimately
14 improve the chance of success in completing the
10:31 15 critical last miles of the extension. An extension
16 of the 241 is an important part of the countywide
17 strategy to reduce traffic congestion, and it's
18 important to protect the quality of life of our
19 residents.

10:31 20 So protecting our land, our water quality
21 and our beaches as we undertake this project is
22 really not an option, it's a necessity.

23 Thank you very much, Mr. Chairman, for this
24 time to speak to you.

10:31 25 CHAIRMAN RYAN: Thank you for your comments.

1 Carl Warkomski. Did I get it right, Carl?

2 MR. WARKOMSKI: No.

3 CHAIRMAN RYAN: Okay. Please correct your name.

4 MR. WARKOMSKI: "Warkomski," it sounds how it
10:31 5 reads.

6 CHAIRMAN RYAN: Thank you.

7 MR. WARKOMSKI: I'm not going to talk about the
8 environmental issues because they're going to be
9 discussed ad nauseam with other speakers. What I
10:31 10 want to talk about is the future of Orange County. I
11 want to talk about what I perceive as a
12 transportation vision that I think is lacking, but is
13 badly needed here in Orange County.

14 I'm afraid that if the 241 South completes
10:32 15 its last segment and creates -- finishes the legacy
16 that the TCA has started, that any improvements along
17 the 5, whether they are on the books now, will be
18 either delayed or permanently put on the back burner,
19 whether it's because of noncompete agreements,
10:32 20 perhaps, or because Sacramento thinks that we can
21 fund our structure locally and do not require funding
22 for our free roads because of that.

23 I do not want to see the traffic on the 5
24 exacerbated in any way. We had studies done that
10:32 25 looked at expanding the 5, and we could not re-create

1 the taking of businesses and homes that TCA had and
2 we are really concerned and skeptical about the study
3 that was done. So I do want to see you go back and
4 look at an independent study of that particular
10:33 5 proposal because it is wrong and it is counter public
6 policy.

7 I do not want to see a two-tiered level of
8 transportation form in Orange County where you have
9 haves and have nots. You have people who can afford
10:33 10 to take a toll road and the people who can't. The
11 people who can't are now, ironically, because of this
12 new leg, sitting in traffic more because it's now
13 exacerbated along the 5 because the improvements are
14 not going to happen or are delayed.

10:33 15 And that is so anti everything that we
16 believe in a democracy and it should not be allowed
17 to happen. I know people on this board personally
18 and I know some of them have vision. Lara Anderson
19 won because of her vision of the town center and her
10:33 20 belief in the future of Dana Point, and I admire
21 that. And even though she doesn't know it, I did
22 precinct walking for her. And I just want her to
23 step back and look at this objectively as a long-term
24 vision of mobility in South County. Ms. Bist --

10:34 25 CHAIRMAN RYAN: Sir, if you could not call

1 everybody out individually and address the issue, I'd
2 appreciate it.

3 MR. WARKOMSKI: The elected woman from Santa
4 Ana, I'm concerned about social injustice. This
10:34 5 campground and park is one of the last remaining
6 affordable recreation opportunities of people of
7 modest means. It is not something like the St. Regis
8 which is out of the price range of most people, but
9 it is an affordable recreation opportunity, which we
10:34 10 have very few of in Orange County. I want to see
11 that preserved.

12 The two main land holdings, the Rancho
13 Mission Viejo Land Conservancy and San Onofre State
14 Park, are now nothing more than holding spots for
10:34 15 future transportation projects. I don't think the
16 originators of the mitigation had that in mind. They
17 probably wanted to see it kept in perpetuity, not as
18 future roads.

19 And I want you to keep that vision of open
10:35 20 space, the vision that Irvine had when it took the
21 fear factor of the airport and transformed it into a
22 visionary concept of the Great Park, and it was so
23 wonderful. I just want to see the traffic futures of
24 Orange County have a vision, a vision that includes
10:35 25 everyone and not just people who can afford to take a

1 private road. Thank you.

2 CHAIRMAN RYAN: Thank you for your comments.

3 Trish Kelly.

4 MS. KELLY: Thank you, and I'd like to welcome
10:35 5 you all to Mission Viejo.

6 CHAIRMAN RYAN: Thank you.

7 MS. KELLY: It's good to see you here. I would
8 like to talk a little bit about the impact upon
9 Mission Viejo and the impact upon the region as well.
10:35 10 And for Mission Viejo, the completion of the Foothill
11 South would benefit us tremendously.

12 The current situation that we have in
13 Mission Viejo, we have accommodated traffic from
14 Rancho Santa Margarita, from Las Flores, from Coto de
10:36 15 Caza, from Wagon Wheel, from Ladera Ranch, and we've
16 been good sports. And we have a lot of -- a lot of
17 people driving through our city every day, and our
18 east-west arterials to the freeway have been
19 tremendously impacted. That would be Alicia, La Paz,
10:36 20 Oso, Crown Valley, and even our north-south
21 Marguerite and Avery.

22 We -- I am excited to see that this plan,
23 this road -- it's just common sense that it would
24 help us a lot. But from your report, we will be
10:36 25 seeing interchanges -- congested interchanges that

1 will be reduced in Mission Viejo by more than
2 50 percent, from 13 to six. Again, this is a
3 dramatic impact upon our quality of life.

4 We also look forward to the building of the
10:36 5 14,000 homes in Rancho Mission Viejo. And we feel
6 like we're very much maxed out, very impacted right
7 now by the traffic in the region, and we're most
8 anxious to be able to have some relief as we
9 anticipate this future growth as well.

10:37 10 And without this toll road addition, the
11 city of Mission Viejo will be even more impacted. I
12 have been a resident for over 28 years here in the
13 city. I've seen all kinds of changes. I've spent
14 many hours driving my three children around the city
10:37 15 and driving around the city for business as well as
16 on the freeway.

17 Regionally, this is so important to us.
18 From a safety aspect, we have Mission Hospital here
19 in Mission Viejo. And I hear from emergency care
10:37 20 providers that it is -- that there is a concern about
21 being able to keep those response times up and get
22 people to our hospital.

23 The new extension of the Foothill South
24 would provide an additional entry into our city and
10:38 25 would provide significant traffic relief on our

1 arterials and in our intersections, and this would
2 improve response times for the entire community as we
3 seek care at Mission Hospital.

4 And, regionally, we also all drive on the
10:38 5 I-5, and I'm excited to see the numbers that you've
6 shown that would reduce the congestion or stabilize
7 the congestion on the I-5. And safety, again, as
8 Mr. Brown indicated, there are some intersections
9 where traffic stops getting off of the freeway. And
10:38 10 I have nearly been rear-ended getting off the freeway
11 off of the I-5 on Avery, because traffic was backed
12 up. And I just encourage the approval and I'm very
13 excited for what this will mean to our region.

14 CHAIRMAN RYAN: Thank you.

10:39 15 Shari Mackin and then Jason Vasquez will be
16 next. Let me read the next ten. Lori Danichek, Lucy
17 Dunn, Bill Steiner, Bryan Starr, Ignacio Ochoa, Hasen
18 Ikhrata, from SCAG, if that'll help, Toni Iseman,
19 Mike Evans, Dan Kelly and Tanya McElhaney should be
10:39 20 prepared to speak after the next speaker.

21 Good morning.

22 MS. MACKIN: Good morning. For the record, my
23 name is Shari Mackin. I'm the deputy mayor of the
24 city of the Oceanside, and I'm here on behalf of our
10:39 25 mayor of Oceanside, that's Mayor Jim Woods, and

1 174,000 people that occupy Oceanside.

2 Our city council took a stance on the
3 proposed San Onofre State Beach toll road -- excuse
4 me -- the Foothill toll road at our last Wednesday
10:40 5 evening council meeting. And through consensus, our
6 city council has voted to oppose the toll road
7 alignment. And I'm here to put into record a letter
8 that we wrote to Governor Schwarzenegger asking
9 him -- expressing our opposition to the creation of a
10:40 10 multilane toll road over four miles in length,
11 through a portion of San Onofre State Beach, as part
12 of the extension of the Highway 241 Foothill South
13 Tollway from the city of Mission Viejo to Interstate
14 5.

10:40 15 The City of Oceanside requests that the
16 Transportation Corridor Agency abandon the toll road
17 route through San Onofre State Beach and ask that the
18 California Department of Transportation review and
19 investigate alternatives to the toll road including,
10:40 20 but not limited to, improvements to Interstate 5.

21 I also have received communication from the
22 Buena Vista Audubon Society, which includes 1,100
23 members from Carlsbad and Oceanside, who support our
24 stance in opposition to this toll road.

10:41 25 So I thank you for your time and the

1 opportunity to speak on behalf of the City of
2 Oceanside.

3 CHAIRMAN RYAN: Thank you for taking time to be
4 here this morning.

10:41 5 Jason Vasquez.

6 MR. VASQUEZ: Good morning, Mr. Chairman, and
7 members of the board. My name is Jason Vasquez. I'm
8 the 71st District director. I'm here on behalf of
9 Assemblymember Spitzer who is up in Sacramento and
10 cannot be here. I'd like to read a letter for the
11 record from the assemblymember.

12 "Dear Chairman Ryan, I'm writing to inform
13 you of my support for the Foothill South project
14 currently being planned by the Transportation
10:41 15 Corridor Agency. Once finished, the completion of
16 the 241 Toll Road will significantly alleviate and
17 curb the high volume of the vehicles that currently
18 utilize Interstate 5.

19 "Recent traffic projections indicate that
10:42 20 Interstate 5 will soon emulate what is currently
21 being seen on the 91 Freeway, which was recently
22 placed on the list of most congested freeways in the
23 nation. Without some remediation, mobility in South
24 Orange County will come to a standstill.

10:42 25 "The completion of the 241 Toll Road is an

1 effective and environmentally responsible answer to
2 South County's impending transportation woes. As a
3 former member of the Foothill Eastern Transportation
4 Corridor Agency, I am pleased to support a vital
10:42 5 transportation project that has been on the master
6 plan of arterial highways for 20 years. The approval
7 of the Final Environmental Impact Report by TCA board
8 of directors will mark the beginning of a critical
9 transportation system in South County.

10:42 10 "I encourage the entire TCA board of
11 directors to approve the Final Foothill South
12 Environmental Impact Report to ensure the
13 construction of this important infrastructure
14 project." Thank you.

10:42 15 CHAIRMAN RYAN: Thank you, sir.

16 Lori Danichek. Is Lori here? Going once,
17 twice.

18 Next speaker, Lucy Dunn, please.

19 MS. DUNN: Thank you, Mr. Chairman, and thank
10:43 20 you, board, delighted to be here today. Lucy Dunn, I
21 am president and CEO of the Orange County Business
22 Council. I'm a longtime member and resident of South
23 Orange County, a frequent user of the 241. And as a
24 personal note, I'm a graduate of Mission Viejo High
10:43 25 School, a few years before Macie, as a high school

1 member. And I'm also an expert in long-term planning
2 and approval for very long projects. So delighted to
3 be here with you today.

4 I do not want to take up your time,
10:43 5 respectful of the number of speakers that are here,
6 but on behalf of the Orange County Business Council I
7 want to let you know that we represent members and
8 investor businesses, with nearly 200,000 employees in
9 Orange County and 2 million worldwide.

10:43 10 We provide a forum to join together to
11 invest in growth, prosperity and the high quality of
12 life that we already all enjoy in Orange County. And
13 to accomplish our mission, we focus on the issues
14 most important to the long-term health of Orange
10:44 15 County's economy, specifically transportation,
16 infrastructure, work force housing, and the education
17 of our future work force. To keep pace with our
18 county's dynamic economy and population growth,
19 efficient transportation systems are necessary and
10:44 20 vital to retaining and growing Orange County
21 businesses.

22 Foothill South is an important link in this
23 transportation system and has -- the toll roads, in
24 fact, have been the lifeblood of businesses in South
10:44 25 Orange County. Foothill South is the final piece of

1 this puzzle in the much needed roadway system.

2 I urge you to certify the final EIR for
3 Foothill South and choose the staff-recommended
4 alternative, the green alternative, to relieve that
10:45 5 congestion on the I-5. It provides much needed
6 choices for our residents here. Those who don't
7 choose to ride the toll road will find an I-5 that is
8 relieved of the transportation impacts that you will
9 see that will be coming for 2025. And that's the
10:45 10 most important point for this board to consider is
11 providing choices for our residents and our
12 businesses. Thank you so much.

13 CHAIRMAN RYAN: Thank you. We appreciate you
14 being here today.

10:45 15 So far, we're doing a great job on the
16 timing. As you do come forward, you'll notice at the
17 podium there is a little light system. When you have
18 one minute left, the yellow light will come on, and
19 then the red light comes on every three minutes. I
10:45 20 really do appreciate everybody adhering to that
21 today.

22 Bill Steiner.

23 MR. STEINER: Thank you, Mr. Chairman, members
24 of the agency board. I am here today representing
10:45 25 the Orange Chamber of Commerce and its 800 member

1 businesses.

2 I'm going to ask that you enter into the
3 record a resolution by the Chamber of Commerce in
4 support of the 241 Toll Road. The controversy over
10:46 5 this decision is similar to what we experienced in
6 our own community several years ago when the
7 decisions were made to locate the 241 and the 261
8 Toll Roads in our Orange sphere of influence. And
9 Mayor Mark Murphy remembers and Director Campbell
10:46 10 remembers that clearly.

11 We were also concerned at that time about
12 the impact on the habitat wildlife movement, on our
13 residential neighborhoods, on Irvine Park and traffic
14 circulation, specifically, the congestion that might
10:46 15 occur at the Chapman interchange on Chapman Avenue.

16 At that time in Orange I think we came to
17 the realization that we couldn't stop progress based
18 on our narrow parochial interests. We knew that the
19 toll roads represented a regional approach to
10:46 20 transportation. We knew that the toll road was our
21 best opportunity to relieve chronic congestion on the
22 I-55 Freeway going through our community, as well as
23 our arterial roads, Imperial Highway and the route
24 from the 91 through Anaheim Hills, Cannon and Serrano
10:47 25 Road. So as a result, it was compromised. And,

1 frankly, most decisions that can polarize people
2 require compromise. I believe that the preferred
3 alignment of Foothill South represents such a
4 compromise.

10:47 5 Our experience in Orange with the TCA was an
6 agency that was responsive to our concerns. It spent
7 millions of dollars on mitigation measures to
8 minimize impacts. It worked collaboratively with the
9 federal regulatory and resource agencies; it
10:47 10 preserved open space; it conducted endless, endless
11 outreach efforts and public hearings as its plans
12 were adjusted as a result of this input; and it
13 actually secured the financing to build the road.

14 So in closing, let me say that the TCA did
10:48 15 its part and kept its promises in Orange, and I
16 believe it is doing the same thing in South County.
17 Ladies and gentlemen, I hope that you'll move ahead
18 to complete the network of toll roads and for the
19 benefit of our Citizens. Thank you very much.

10:48 20 CHAIRMAN RYAN: Thank you, Mr. Steiner.

21 Bryan Starr.

22 MR. STARR: Good morning, Chairman Ryan, members
23 of the board. My name is Bryan Starr and I'm here
24 representing the Orange County Chapter of the
10:48 25 Building Industry Association. The BIA Orange County

1 is a nonprofit trade association representing more
2 than 900 companies, employing over 112,000 employees
3 affiliated with the homebuilding industry.

4 Our mission is to promote proactive
10:48 5 participation in the development of economic and
6 community issues in Orange County. This mission is
7 what brings us here today.

8 The total number of residents in South
9 Orange County is expected to increase to 627,568 in
10:49 10 2025. In 2000, that number of residents was 480,000.
11 That's 146,000 more people over a 25-year period.
12 That equates to adding one and a half more cities the
13 size of Mission Viejo to South Orange County.

14 The members of the BIA Orange County are
10:49 15 dedicated to providing quality homes for this growing
16 population. Whether the homes are constructed in
17 undeveloped areas or high-density infill, we have one
18 thing in common and that's people. People need to
19 get to work and do business, visit family and
10:49 20 friends. Basically, our quality of life is centered
21 on being able to do the things we want to do, and
22 having transportation options gives us this freedom.

23 The Foothill South project is an important
24 part of Orange County's overall transportation plan.
10:49 25 It will give South Orange County residents and

1 commuters a choice and keep Orange County a desirable
2 place to live.

3 Governor Schwarzenegger is proposing major
4 plans for improving California's infrastructure, but
10:50 5 here in Orange County we have the opportunity to
6 address our transportation needs for our residents
7 right now.

8 I encourage you to certify the Environmental
9 Impact Report for the Foothill South. The analysis
10:50 10 is extensive and the amount of alternative study was
11 unprecedented. The reality is Orange County is a
12 great place to live and do business, and people will
13 continue to come here. We just need to prepare for
14 the known traffic -- the known growth so we aren't
10:50 15 choked by traffic. Thank you.

16 CHAIRMAN RYAN: Thank you.

17 Ignacio Ochoa. I didn't get your last name
18 right, did I? I took German in high school.

19 MR. OCHOA: You were very close.

20 CHAIRMAN RYAN: Okay, good.

21 MR. OCHOA: Good morning, Mr. Chairman, and
22 board members. Ignacio Ochoa, manager of the road
23 division for the County of Orange.

24 I thought you might want to allow me to
10:50 25 speak from the agency who started the design and

1 planning for the toll roads. You heard a lot about
2 the history from previous speakers, but I'd like to
3 remind you that the planning process began almost
4 30 years ago.

10:50

5 In the mid-1970s, the board of supervisors
6 authorized two fairly extensive studies known as the
7 Southeast Orange County Circulation and Northeast
8 Circulation Study that examined land use and
9 transportation needs for these areas. That board
10 then approved the two corridors. First, the
11 Foothill, then the San Joaquin.

10:51

12 These studies culminated in the board of
13 supervisors' adoption of amendments to the master
14 plan of arterial highways adding these two important
15 corridors to the master plan. In 1981, after
16 completion of the alignment studies and certification
17 of the final EIR for the Foothill Transportation
18 Corridor, the predecessor to the tollway, the board
19 of supervisors amended the master plan and the
20 county's general plan to add the Foothill Corridor.

10:51

10:51

21 So the need and the general route for the
22 Foothill Transportation Corridor or Foothill Tollway
23 has been an adopted element of transportation and
24 end-use plan for almost 25 years.

10:52

25 It is also notable that the long-range

1 element, a 20-year transportation plan approved by
2 OCTA in 1980, included the Foothill Corridor. The
3 corridor has been a part of OCTA's long-range
4 planning for 25 years.

10:52 5 From 1981 to 1986, the county managed the
6 planning and financing studies for the corridors and
7 required developers to dedicate and pay fees for the
8 construction of these facilities. With the formation
9 of the tollway corridor agencies, this responsibility
10:52 10 was transferred to the TCA.

11 All of this has been done knowing that the
12 tollway and south extension, in particular, is
13 critically important to the regional transportation
14 system of Orange County. Completing the Foothill
10:52 15 Tollway is a regionally significant project that
16 provides Orange County the mobility envisioned in the
17 county's general plan.

18 The county has remained an active partner
19 with the TCA in planning the corridor, and county
10:53 20 staff has over the last several years participated in
21 numerous meetings with the TCA on the project and has
22 been active in the clinical review and analyses of
23 project traffic and the various technical analyses.

24 We have reviewed the project's preferred
10:53 25 alternative and find that it is consistent with the

1 county's general plan and the land use planning for
2 Southern Orange County, including the recently
3 approved Rancho Mission Viejo. The county required
4 that the land and habitat planning programs for the
10:53 5 Ranch accommodate the alignment for the extension.

6 Now, in conclusion, chairman and the board,
7 the county supports the TCA in implementing this
8 significant roadway project. And I thank you for the
9 opportunity to speak and address the board.

10:53 10 CHAIRMAN RYAN: Thank you, sir.

11 Hasen Ikhata.

12 MR. IKHRATA: Thank you, chairman. Good
13 morning, my name is Hasen Ikhata and I'm here
14 representing Southern California Association of
10:54 15 Governments, SCAG for short. Distinguished members
16 of the board, thank you for the opportunity to come
17 before you today on behalf of SCAG to add our
18 approval and certification of the EIR and approval of
19 the staff. As you know, SCAG is the NPO for the
10:54 20 Department of Planning and Organization. As such,
21 one of our primarily responsibilities is to develop
22 and evaluate comprehensive solutions to address the
23 region's challenges in the future. We do this
24 through the preparation of what we call regional
10:54 25 transportation plan and regional transportation

1 improvement program.

2 SCAG has recognized the need for additional
3 transportation improvement in South Orange County
4 since the 1980s. Foothill South project was first
10:54 5 programmed in the SCAG plan in 1991. Since that
6 time, SCAG has rigorously evaluated this project as
7 well as a number of alternative transportation
8 programs and has concluded that the project is an
9 important and necessary component to the regional
10:55 10 transportation system.

11 We are all aware of the enormous challenges
12 faced by our region. The development of new highway
13 capacity has not kept pace with population growth and
14 growth in the South. Looking ahead, this trend will
10:55 15 continue over the next 30 years. And we estimate by
16 the year 2030 the region will be home to some 22.9
17 million residents.

18 To put that challenge in more concrete
19 terms, SCAG estimates that the population will be
10:55 20 equivalent to two cities of Chicago will be added to
21 the region by 2030.

22 The governor has acknowledged that we need
23 user fee-based financing mechanisms, such as toll
24 roads and the use of congestion pricing. If our
10:55 25 current mobility levels are to keep from getting

1 worse, we need these solutions. Likewise, SCAG has
2 consistently advocated for many years for alternative
3 funding to provide additional resources to improve
4 our transportation system.

10:56 5 The TCA has demonstrated incredible
6 leadership, using innovative strategies to build the
7 toll road system in Orange County, and we applaud
8 your efforts. Foothill South represents the final
9 phase of the planned 67-mile toll road system in
10 Orange County.

11 If Foothill South is not built, we estimate
12 that traffic conditions on Interstate 5 in South
13 Orange County could be equivalent to conditions today
14 on the Freeway 91 Orange County and Riverside County
10:56 15 line. The implementation of the Orange County toll
16 road system was in, again, in 1980s and it's time we
17 finished it.

18 And, again, on behalf of the Southern
19 California Association of Governments, I urge your
10:56 20 certification of the EIR and approval of the staff
21 recommendations. Thank you.

22 CHAIRMAN RYAN: Thank you, sir.

23 Toni Iseman.

24 MS. ISEMAN: Good morning. I see some old
10:57 25 friends here. I had a speech ready to give you that

1 was probably to be expected, the one about being by
2 the ocean and enjoying the quiet, not hearing the
3 cars -- let me see what else I said -- being away
4 from civilization. That's important, and other
10:57 5 people didn't say that to you on why this is wrong.

6 I was going say there's a project here, but
7 this isn't it. And then about two days ago a big
8 light bulb went on. Wow. The governor said, "Build
9 it." He stood there, your governor, our governor,
10:58 10 said, "Build it," and that meant that he was
11 channeling Pat Brown.

12 There may be an influx of money coming our
13 way, more likely than not there will be. We are a
14 donor county. We keep sending our money to
10:58 15 Sacramento and we don't get our fair share back. We
16 are setting ourselves up to not get money for our
17 roads with a noncompetition clause. And I suggest to
18 you that you can -- you can make your decisions about
19 this, hopefully with an environmental hat, but, also,
10:58 20 take a look at the contract and the bonds and the
21 promises about noncompetition.

22 Noncompetition means you don't get to fix
23 the roads that parallel this area until the toll road
24 is crowded. Well, we saw what happened with an
10:58 25 noncompetition and the San Joaquin. Does that mean

1 that the 405 in that area won't get any money from
2 the governor because we have to say no?

3 Well, get your lawyers out and your
4 accountants out and your tax people out, and please
10:59 5 do not go forward unless you know that you're not
6 dropping citizens of Orange County who send their
7 money to Sacramento and may not be eligible to get it
8 back.

9 CHAIRMAN RYAN: Thank you.

10:59 10 Mike Evans. As Mike Evans comes up, Dan
11 Kelly will follow, with Tanya McElhaney and Paul
12 Taylor, and then as I indicated at the beginning of
13 the meeting, a representative of Sierra Club. We
14 have extensive comments from Shelton Holly
10:59 15 representing the Sierra Club and the Surfriders. And
16 I ask that that representative -- I've been told that
17 that would be Elizabeth Goldstein and Michael Fitts,
18 and they've been granted extension of time and
19 that'll be ten minutes when they come up, so be
10:59 20 prepared. They will be followed by a representative
21 from the state parks. And I also indicated I'll give
22 them ten minutes this morning also, and that will be
23 Rich Rosell, to follow after we get past Paul Taylor.

24 Good morning.

11:00 25 MR. EVANS: Good morning. My name is Mike

1 Evans. I'm the vice president and on the board of
2 directors of the Donna O'Neil Land Conservancy, which
3 was established in 1990 as 1,200 acres of some of the
4 most unique, natural open space, accessible to the
11:00 5 public and afforded a very high level of protection
6 of conservation in Orange County.

7 I've brought a recent edition of our
8 newsletter, which I can leave for you record, the
9 winter 2005, which outlines some of our activities.

11:00 10 We are a nonprofit public benefit
11 corporation, charitable tax exempt 5013(c). The
12 board is made up of members from the Santa Margarita
13 Company, the County of Orange and the city of San
14 Clemente.

11:00 15 Our purpose of the conservancy, as stated in
16 the founding document, is that the conservancy will
17 be organized as a nonprofit corporation under the
18 Nonprofit Public Benefit Corporation Law of the State
19 of California. The specific purpose of the
11:01 20 conservancy will be to preserve the reserve area for
21 educational, ecological, recreational, scenic and
22 open space uses, and to receive and administer and
23 maintain the conservation easement.

24 The conservation easement itself reads as
11:01 25 follows, and I'm going to leave this with you as

1 well: "The purpose of the conservation easement is
2 to identify, preserve and protect in perpetuity the
3 open space and significant ecological features and
4 values of the reserve area."

11:01 5 "The intent of the conservation easement is
6 to confine the use of the reserve area to activities
7 which are consistent with the foregoing purposes."

8 And then several activities are outlined. Of course,
9 public access for the environmental education, some
11:02 10 limited ranching consistent with conservation values.
11 Prohibited uses include hunting and mobile homes and
12 advertising materials, et cetera.

13 Access is guaranteed because of the 5013(c)
14 nature of the organization, and environmental
11:02 15 monitoring is ongoing in order to establish and
16 maintain the health of the land.

17 In the deed, which was offered and accepted
18 in 1990, the various recitals simply say that the
19 grantor is the owner, and the grantee, that's the
11:02 20 conservancy, will do its job. And it was recognized
21 that there was significant ecological and scientific
22 and esthetic value. It was high-quality natural
23 habitat.

24 There was substantial public testimony
11:02 25 presented to the County of Orange and the City of San

1 Clemente concerning the value of the Talega Reserve
2 area -- that's what it was called at the time -- and
3 expressing a desire that the Talega Reserve area
4 should remain in a natural condition; that the
11:03 5 easement's areas of natural elements, ecological,
6 scientific, esthetic values are of great importance
7 to the people of the State of California, the people
8 of the County of Orange, the grantor and grantee and
9 are worthy of protection and preservation.

11:03 10 That the parties desire that the easement
11 areas, ecological elements, scientific and esthetic
12 features and values be preserved and maintained in
13 perpetuity; that the county has considerable
14 expertise in these matters, especially managing
11:03 15 natural resources, and can be a beneficial
16 contributor in discussions of appropriate uses of
17 public access.

18 And even in 1990, the grantor and the
19 grantee recognized that a transportation corridor is
11:03 20 being planned and may be located in proximity to the
21 easement area, and have determined that the corridor
22 will not be inconsistent with the protection of
23 conservation values within the easement area.

24 I think we saw a map earlier that showed an
11:04 25 early proposal which routed the road away from the

1 conservancy, and probably was the spirit behind this
2 language of in proximity. Today's proposal, of
3 course, we see has the road going through the
4 conservancy.

11:04 5 So our job as the board, obviously, is to
6 uphold the language and the intent of the easement
7 document. And we make decisions regarding land
8 management, and our decision must focus on the
9 conservation ethics.

11:04 10 We do provide public access for interpretive
11 opportunities and education, and we oversee the
12 natural processes and the human activity and the
13 impact on the 1,200 acres.

14 So my reason for coming today, needless to
11:04 15 say, is simply to state that planning and building a
16 transportation corridor on the Donna O'Neil Land
17 Conservancy is an activity inconsistent with the
18 documents which define the purpose of the use of the
19 land.

11:05 20 I want to also emphasize the importance and
21 value of the Donna O'Neil Land Conservancy as natural
22 open space, selected and preserved for its
23 high-quality natural habitat, and originally set
24 aside as mitigation for development that is now, 50
11:05 25 years later, actually in place.

1 CHAIRMAN RYAN: Are you close to concluding?

2 MR. EVANS: Yes, sir. My next words are "In
3 summary."

4 CHAIRMAN RYAN: Thank you.

11:05 5 MR. EVANS: The Donna O'Neil Land Conservancy is
6 of extremely high value to all of the people of
7 Southern California. And it is our duty as the board
8 to uphold the language of the deed and the
9 conservation easement.

11:05 10 Anyone who would propose any use or any
11 project on the reserve would receive the board's
12 scrutiny and evaluation to ascertain if the proposal
13 is consistent with the governing documents accepted
14 by the conservancy, the county and the City of San
11:05 15 Clemente.

16 The TCA's proposal to route a major road
17 through the Donna O'Neil Land Conservancy is not
18 consistent with the land's designated use.

19 I would also like to submit today into the
11:06 20 record, in addition to the newsletter and the
21 easement, a letter from Mr. Michael Johnson, an
22 attorney representing the Donna O'Neil Land
23 Conservancy, essentially stating that our position on
24 the habitat and land value and the impacts proposed,
11:06 25 that the value is recognizably greater and the

1 impacts greater than are implied in the TCA's EIR.
2 And the fact that the mitigation measures proposed
3 may be inadequate in regards to the recognized and
4 historic value of the Donna O'Neil Land Conservancy
11:06 5 and its stated purpose as mitigated natural open
6 space.

7 CHAIRMAN RYAN: Thank you, Mr. Evans.

8 MR. EVANS: Mr. Johnson will assist the board in
9 matters pertaining to the TCA should you choose an
11:06 10 action that would affect the purpose of the Donna
11 O'Neil Land Conservancy and the conservation
12 easement. Thank you.

13 CHAIRMAN RYAN: Thank you.

14 MR. KELLY: Mr. Chairman, members of the board,
11:07 15 good morning. We at Rancho Mission Viejo appreciate
16 the opportunity to provide input and commentary at
17 this point in the process and evaluation of the
18 Foothill Transportation Corridor South.

19 As the owners of the 23,000-acre Rancho
11:07 20 Mission Viejo, we take very seriously our
21 responsibility to carefully manage the ranch. And
22 given the fact that the majority of the construction
23 of Foothill South will take place on the ranch, we
24 have a compelling interest in the manner by which
11:07 25 this facility is proposed to be constructed, as well

1 as in the determination of its final alignment.

2 We feel it's important at the outset to
3 restate prior to our detailed comments that Rancho
4 Mission Viejo firmly supports the extension of the
11:07 5 Foothill Transportation Corridor South. The
6 completion of this important regional facility will
7 provide a key component to the future regional
8 transportation system.

9 As noted in the TCA staff report, both the
11:08 10 SCAG and SanDAG regional transportation plans, as you
11 heard mentioned just a little while ago, both of
12 those plans identify the Foothill South as a critical
13 component of the regional transportation system in
14 Southern California.

11:08 15 Specific benefits of the construction of the
16 FTC South as detailed in the staff report include
17 alleviating the I-5 and arterial peak-hour congestion
18 and providing point travel time savings.

19 In summary, the completion of the FTC South
11:08 20 will provide very real benefits to the citizens of
21 Orange County as well as to the region. And we
22 wholeheartedly support the careful and expeditious
23 completion of the extension.

24 Based on our experience gained from our own
11:08 25 decadelong planning efforts in South Orange County,

1 we also appreciate the complexities and trade-offs
2 that complicate regional transportation planning in
3 the area. Not the least of these are competing goals
4 and objectives of the various interested parties with
11:09 5 regard to providing both projected population growth
6 and resource conservation. It is, in fact, these
7 very considerations that we believe that led to the
8 delays in completing the Foothill South.

9 Given the impacts that will occur on Rancho
11:09 10 Mission Viejo we have been working on an ongoing
11 basis with TCA staff to define and understand the
12 various impacts and issues surrounding the
13 construction of the Foothill South on the Ranch.

14 We intend to continue working with the TCA
11:09 15 and its staff in the same spirit of cooperation
16 that's marked our past dealings. Without a doubt,
17 there are a myriad of details that will need to be
18 coordinated and issues to be resolved relative to the
19 interface of the toll road and our development plans.

11:09 20 The importance of some of those issues we
21 believe may have increased as a result of the board
22 of supervisors actions in November of '04, modifying
23 the County General Plan, to recognize what is now
24 known as the Ranch Plan as was discussed in the staff
11:09 25 report earlier.

1 Subsequent to that approval, CEQA litigation
2 was filed. The result of that was a settlement. The
3 result of that settlement was a decrease in
4 developable land. That leads to, perhaps, a greater
11:10 5 import in trying to deal with issues where the toll
6 road has the potential to affect those areas.

7 Also, we will look forward to discussing
8 with staff the potential impacts to ongoing
9 agricultural and ranching operations.

11:10 10 Once again, thank you for your attention.
11 I'll restate our ongoing support for the extension of
12 the Foothill South and will provide a letter to staff
13 that details our comments. Thank you very much.

14 CHAIRMAN RYAN: Thank you, sir.

11:10 15 Tanya McElhaney. Okay. Going once, going
16 twice.

17 Paul Taylor, please.

18 MR. TAYLOR: Good morning. My name is Paul
19 Taylor. I'm an executive director of Orange County
11:10 20 Transportation Authority, which has supported
21 building your agency's project since the inception of
22 the organization.

23 The new transportation capacity provided by
24 your toll roads has helped balance Orange County's
11:11 25 transportation system and kept much of Orange County

1 moving during a period of declining state and federal
2 transportation funding. The last major piece of the
3 system has been a subject of our major planning
4 efforts for more than 20 years and is on our plans.

11:11 5 As you consider locally preferred
6 alternatives today, I'm here to express OCTA's strong
7 support for the transportation capacity that is
8 provided by the 241 extension. The project is
9 necessary for I-5 traffic relief, as well as
11:11 10 providing new transportation routes for Southern
11 Orange County.

12 OCTA understands that any of the alignments
13 under consideration will have community and
14 environmental impacts that your organization will
11:11 15 continue to address as the project development
16 process proceeds.

17 Sustaining Orange County's continued
18 transportation capacity demands that you and the
19 involved agencies find ways to meet these challenges.
11:12 20 OCTA looks forward to working with you as you move
21 forward as your partner.

22 And I thank you for the opportunity to
23 address you today.

24 CHAIRMAN RYAN: Thank you for your comments this
25 morning.

1 I have two other special requests that we'll
2 do before the Sierra Club representatives. That's
3 Gail Reavis and Susie Kaskey.

4 Is Gail Reavis here this morning?

11:12 5 MS. REAVIS: Thank you, Mr. Chairman. I'm Gail
6 Reavis. I am a member of the city council of Mission
7 Viejo, welcome to all of you, but I'm not here
8 speaking for or representing them.

9 Actually, I kind of wanted to speak because
11:12 10 I was very surprised by the representative from
11 Oceanside that got up and spoke, because my family --
12 my mother lives in Oceanside. And three of her
13 children, four of her grandchildren and six of her
14 great grandchildren all live off of the 241, within a
11:12 15 mile of either direction going from Lake Forest up to
16 Coto de Caza.

17 There's a lot of people like my mother and
18 family that are kept connected through whatever the
19 road system is. And every time that I go to the 241,
11:13 20 which should have a plaque on it because my husband
21 and I spend so much time on the 241. I love that
22 road.

23 There's a lot of things I know people will
24 talk about with mitigation and things that shouldn't
11:13 25 happen if it goes to the south. And all I've ever

1 felt about the 241 is God help us all, I think it's
2 going to go through.

3 Pick the one -- pick the plan that is going
4 to be the least invasive or the least hurtful for the
11:13 5 maximum amount of people. I think the plan that
6 you've got going right now satisfies that. There's
7 probably a few more tweaks to it that could help, but
8 for those of us who take the toll road regularly, and
9 that's everybody that lives in north Mission Viejo,
11:13 10 Santa Margarita, north Lake Forest, there are so many
11 communities along here.

12 As Rancho Mission Viejo expands, we have
13 depended, and Mission Viejo, very heavily on that
14 road going through to be able to keep traffic moving
11:14 15 around the city and not just gridlock through the
16 city.

17 And right now we had an accident at our
18 house with a water thing. I have six workers in my
19 house right now while I'm here that all came up from
11:14 20 North San Diego County, from Escondido. They have a
21 jobs/housing imbalance. They can't afford to live
22 down here. They need to be able to get here to work
23 if we need them.

24 So I am wholly in favor of the toll road
11:14 25 expansion. Like I said, it may need a few little

1 tweaks on it, but I think we need to pick the best,
2 least invasive plan possible and get this going.
3 Thank you.

4 CHAIRMAN RYAN: Thank you. Good luck with your
11:14 5 water situation.

6 Susie Kaskey, please.

7 MS. KASKEY: Good morning. I will be brief. I
8 am Susie Kaskey, here representing Saddleback
9 Memorial Medical Center of which have two campuses,
11:15 10 one in Laguna Hills and one in San Clemente.

11 We support the extension of the Foothill
12 South Corridor and the preferred alignment, quite
13 simply because we believe it improves access to
14 healthcare and improves the ability to attract
11:15 15 quality employees and physicians.

16 I have a letter here from the CEO of
17 Saddleback of which I would like to present to you.
18 Shall I give it to you or the clerk?

19 CHAIRMAN RYAN: If you could give it to the
11:15 20 clerk on the end, that'll be great.

21 MS. KASKEY: Very good. Thank you very much.

22 CHAIRMAN RYAN: Thank you very much.

23 Okay. Folks, I would like to ask the
24 representatives of the Sierra Club and Surfriders,
25 and I believe that's Elizabeth Goldstein and Michael

1 Fitts. We did receive extensive comments
2 representing those two entities, and I thought for
3 this board to make an informed decision, it was
4 worthwhile to grant you some additional time this
11:15 5 morning. So you have ten minutes. I know you'd
6 probably like to go an hour, but you only have ten
7 minutes.

8 MS. GOLDSTEIN: Great, thank you very much. We
9 appreciate this opportunity. Before starting my
11:15 10 formal remarks, let me tell you that I carried with
11 me this morning a letter from the National Trust of
12 Historical Preservation about cultural impacts on
13 cultural resources within the preferred alternative
14 corridor, and you should be receiving that if you
11:16 15 have not already.

16 Good morning all of the members of the
17 board. We very much appreciate this time today to
18 speak to you and appreciate the honor of being
19 extended a little extra opportunity. My name is
11:16 20 Elizabeth Goldstein. I'm actually the president of
21 California State Parks Foundation, and I am joined
22 this afternoon -- this morning by Michael Fitts, the
23 senior attorney for the Endangered Habitats League.

24 We are honored to speak on behalf of the
11:16 25 Friends of the Foothill Coalition. This coalition

1 consists of over 30 groups, businesses and community
2 leaders, including the following organizations: The
3 Sierra Club, the Natural Resources Defense Council,
4 the Audubon Club, and the Surfriders Foundation, just
11:16 5 to name a few.

6 As a coalition and as individual
7 organizations we have endeavored to consume and then
8 digest the many complexities of this project and most
9 recently the enormous FSEIR. We are here today to
11:17 10 ask you to reject both the staff recommendations
11 before you. We urge you to not certify Final SEIR
12 and not to select the preferred route alternative.

13 We do not make either of these requests idly
14 and not without considerable debate. We believe that
11:17 15 you have an opportunity before you to explore
16 opportunities and options that have not been
17 adequately explored.

18 We recognize the importance of the public
19 policy issues before you today and we respect them.
11:17 20 We do not reject the idea that transportation is not
21 a significant concern here. We recognize that it is
22 and we understand that.

23 The policy choice that you will make shortly
24 will either leave South Orange County and San Diego
11:17 25 County better off in terms of both transportation and

1 parks and other quality of life issues or not. Your
2 staff and consultant team have left you with lots of
3 information and disclosure documents, but the
4 documents beg the obvious questions.

11:18 5 The most obvious is whether the significant
6 loss of natural, cultural and recreational resources
7 necessary to resolve the transportation problems is,
8 in fact, a necessary trade-off, whether we can,
9 indeed, shoot for a higher alternative to both
11:18 10 protect those cultural, recreational and natural
11 resources while solving our transportation problems.

12 We also recognize that the purpose of the
13 DSEIR that you circulated and the Final SEIR is to
14 fully inform you, the decision-makers and we, the
11:18 15 public, about the true impacts of the project and its
16 alternatives, especially given the complexity and
17 nature of this project and its magnitude.

18 We believe that the studies that we have
19 commissioned and are, indeed, before you today, the
11:19 20 ones done by Smart Mobility and KCA Engineering
21 provide more than adequate information and evidence
22 that leaves -- that you have been left without enough
23 information to explore important alternatives that
24 may, in fact, give us all the opportunity to protect
11:19 25 both our natural, cultural and recreational

1 resources, and to improve transportation alternatives
2 in this area.

3 And I'm going to turn this over at the
4 moment to Michael Fitts to speak to you in some more
11:19 5 depth about those studies. Thank you.

6 CHAIRMAN RYAN: Thank you.

7 MR. FITTS: Good morning. My name is Michael
8 Fitts, staff attorney for the Endangered Habitats
9 League. Thank you for providing me the opportunity
11:19 10 to speak today. I will try to speak quickly to fit
11 it in in the available time.

12 Elizabeth had mentioned the coalition of
13 environmental and conservation organizations that has
14 long urged that a searching, detailed and objective
11:20 15 evaluation of alternatives to placing a major highway
16 down the backbone of an unspoiled state park used by
17 millions of Californians every year be -- be
18 completed.

19 We have contended and still contend that
11:20 20 feasible nontoll road alternatives exist that would
21 address Orange County's long-term traffic challenges
22 while preserving San Onofre State Beach Park and
23 Orange County's fast-disappearing natural
24 environment. Several nontoll road alternatives were
11:20 25 purportedly considered, and staff now proposes that

1 they be rejected as infeasible or for failing to meet
2 project needs.

3 We contend that you cannot reject these
4 alternatives, not only because the determinations of
11:20 5 infeasibility have no basis, but because of
6 compelling evidence that, in fact, they are feasible.

7 And take one example, the AIP alternative
8 which consists of one lane on the I-5 plus selected
9 arterial improvements. This alternative concededly,
11:21 10 using TCA's own data, outperforms all toll road
11 alternatives, including the preferred alternative,
12 using the two of the three traffic performance
13 matrixes adopted by your traffic consultant.

14 As to the third, which is overall VHT
11:21 15 reduction, the difference is eight-one-hundredths of
16 1 percent, which is vastly outweighed by the
17 underestimation of VMT and overestimation of VHT
18 reduction through failure to do speed recycling.

19 It was rejected by staff as proposed,
11:21 20 rejected as infeasible to place huge displacement
21 impacts and associated costs on a lack of funding.
22 We searched the record available to us for a reasoned
23 explanation of that that many hundreds of takings
24 would be necessary. And we were unable to find any
11:21 25 description of methodology, area of impact or

1 anything else to shed light to permit -- to conduct a
2 reasoned evaluation of this contention.

3 So we issued a Public Records Act request
4 and still got no further information. We were faced
11:22 5 with the utter lack of foundation for this
6 decision -- or for this proposal, so we decided to
7 cobble together our scarce resources and try and get
8 an idea ourselves.

9 Not having the funds to investigate the
11:22 10 displacement impact of the entire length of the AIP
11 alternative, we decided to look at San Clemente only
12 as an indicator of the likely result of an analysis
13 of the entire alternative.

14 We chose San Clemente for several reasons.
11:22 15 First, their staff and consultants had broken down
16 purported displacement impacts by city, permitting an
17 apples-to-apples comparison. Second, San Clemente
18 appears to be the most constrained portion of the
19 alternative, again, providing a conservative
11:22 20 approach. Third, projected traffic volumes on the
21 I-5 are relatively high, making improvements there a
22 key component of any nontoll road alternative.
23 Fourth, arterial improvements that were suggested
24 consisted of a transportation systems measures, TCM
11:23 25 measures -- TSM measures, in San Clemente, according

1 to my review of the maps, which would not result in
2 any displacement impacts.

3 So we retained KCA Engineering and principal
4 civil engineer Peter Becky to do the work. He's got
11:23 5 over one-half century of experience designing road
6 widenings and looking at displacement impacts. To
7 ensure consistency with future baseline assumptions
8 employed in TCA's evaluation, we instructed him to
9 assume construction of one HOV lane in either
11:23 10 direction consistent with a build-out of the 2004
11 regional transportation plan, and an additional lane
12 in either direction consistent with the AIP
13 alternative.

14 Mr. Beche repeatedly traveled the alignment,
11:23 15 the frontage roads, intersections and surrounding
16 land. As you will see from the study, which I
17 believe has been provided to you, the analysis is
18 broken down by interchange and segment and contains
19 an explanation concerning the displacement impacts of
11:23 20 each segment and interchange.

21 The results shattered TCA's displacement
22 numbers. Structures displaced would total 23 to 27
23 versus staff's estimation of 280, a reduction by a
24 factor of more than ten. Single-family homes,
11:24 25 reduced from 125 down to nine.

1 Since San Clemente is the most constrained
2 portion of this nontoll road alternative, we believe
3 that it is extremely likely that similar and greater
4 reductions in displacements would be found in other
11:24 5 portions of the alignment.

6 As for infeasibility due to lack of funding,
7 the TCA applies an unwarranted double standard. Toll
8 road funding has not even been secured, yet it is
9 deemed to be available through debt issuance financed
11:24 10 by -- to be paid back by tolls. Yet, federal law
11 authorizes a similar funding mechanism for new lanes
12 on the I-5, but this funding is somehow deemed
13 unavailable. The only reason is it has not been
14 sought. The bottom line is that there are feasible
11:24 15 alternatives that satisfy project needs. Thank you
16 very much.

17 CHAIRMAN RYAN: Thank you, sir.

18 Director Norby?

19 DIRECTOR NORBY: Yes, I have a question for
11:25 20 staff. We have so many numbers on the projected
21 displacement on the I-5 input. In other words, staff
22 has said 200, and other speakers and the Powerpoint
23 lists 898. So we need some kind of matrix as to
24 businesses and homes affected. If they're arguing
11:25 25 with our number, we need to know what our number is.

1 CHAIRMAN RYAN: That's a good point. What I
2 would expect to occur today is that after completion
3 of public testimony, that that might be something
4 that we want to come back to and we can evaluate it a
11:25 5 week from today. Thank you for those comments.
6 MR. DAHL: Mr. Chairman?
7 CHAIRMAN RYAN: Yes.
8 MR. DAHL: Yesterday we received a fax with
9 those tables. I wonder if everybody received those.
11:26 10 CHAIRMAN RYAN: Has everybody received those
11 from staff? Not at this point.
12 MR. DAHL: All right thank you.
13 CHAIRMAN RYAN: We'll make sure those are made
14 available.
11:26 15 MR. DAHL: Thank you.
16 CHAIRMAN RYAN: Rich Rozelle, are you here today
17 from state parks?
18 MR. ROZELLE: Good morning.
19 CHAIRMAN RYAN: The state parks commission was
11:26 20 granted six minutes, which is twice as much as
21 normal, so I thought we'd up the ante and go to ten
22 minutes. You've got ten.
23 MR. ROZELLE: I appreciate that, sir. Actually,
24 I don't plan on taking ten minutes. We did submit a
11:26 25 lengthy comment letter which, hopefully, you have for

1 the record. Again, good morning and thank you for
2 the opportunity to address the board. My name is
3 Richard Rozelle. I'm the acting district
4 superintendent for the Orange Coast District of
11:26 5 California State Parks. I'm personally responsible
6 for the operation and management of six state parks
7 in the Orange and San Diego County region.

8 Today I'm here because California State
9 Parks has a mission. We have a mission to provide
11:26 10 for the health, the inspiration, the education of the
11 people of California by helping to preserve the
12 state's extraordinary biological diversity by
13 protecting its most valuable and natural coastal
14 resources and creating high-quality outdoor
11:27 15 recreation.

16 We take our mission quite seriously, and
17 that's why I stand here today. We plan to take every
18 action that's appropriate to see that every 278 units
19 of the state park system are available for future
11:27 20 generations, your grandchildren and my grandchildren.

21 In 1971, President Nixon and Governor Ronald
22 Reagan had a vision. They had a vision that San
23 Onofre State Beach would be set aside for the public
24 in perpetuity. They have directed the Department of
11:27 25 Navy to enter into a long-term lease with our

1 department. In fact, at that time the intent was to
2 transfer that land in fee ownership to the
3 department. That transfer has not taken place and,
4 unfortunately, we cannot go back and ask those two
11:27 5 leaders to help us out in getting that land
6 transferred at this point. Nevertheless, over 2
7 million visitors come to San Onofre State Beach
8 annually. They are enjoying the vision that
9 then-President Nixon and Governor Reagan had.

11:28 10 Unfortunately, your staff and your
11 consultants would prefer to construct a road, a
12 six-lane toll road through the heart of San Onofre
13 State Beach. They recommend alignment that would
14 destroy, roughly, 300 acres of pristine park land.
11:28 15 That alignment will also divide 1,200 acres of the
16 state park. That division will fragment this open
17 space to the point where wildlife will no longer have
18 the ability to move freely throughout the property.
19 This will ultimately result in an ecological
11:28 20 breakdown.

21 This alignment will forever change a quiet
22 and isolated park experience. If you can listen to
23 the quietness in this room now, that's what the
24 public currently enjoys out at San Mateo campground.
11:29 25 The public currently, also, can get on a hiking trail

1 and escape the busy lives we have every day, the
2 freeways, the noise, the traffic, the cell phones.
3 Listen to the quiet.

4 This alignment will also bury -- it will
11:29 5 disturb ancient Native American villages that have
6 been there for thousands of years. In total, these
7 impacts and the damage to the natural and cultural
8 resources found in this portion of the state park
9 will basically devalue them to the point where the
11:29 10 state park system will no longer have an interest in
11 managing these lands.

12 These impacts associated with the road and
13 loss of the high-quality public park land will
14 continue downstream in other protected areas.

11:29 15 Currently, the ocean waters at Trestles Beach, which
16 is cleanest of all Southern California, will be
17 tainted by the pollutants generated from this road.
18 I'd just like to recognize Supervisor Wilson in his
19 efforts to clean up the beaches in Orange County,
11:30 20 state beaches, Huntington State Beach, Bolsa Chica
21 State Beach, Crystal Cove State Park, Doheny State
22 Beach. All those park units are currently impacted
23 by poor water quality. My child, your children, your
24 grandchildren do not have the opportunity to swim in
11:30 25 clean water except at Trestles Beach.

1 This road will forever disrupt the natural
2 flow of sediment down San Mateo Canyon and San Mateo
3 Creek. You heard from a consultant today that gave
4 you some assurances, assurances that the waves would
11:30 5 remain the same, but those assurances are just paper.

6 What happens if, in fact, he's wrong? What
7 happens if this world-class surf break is destroyed
8 and damaged in perpetuity?

9 The Final Subsequent Environmental Impact
11:31 10 Report and the supporting studies for this project
11 are inadequate and misleading as it relates to San
12 Onofre State Beach. Substantial and significant
13 adverse effects will occur. And if this alignment is
14 constructed, it's -- it's really going to be
11:31 15 unfortunate. The public will be the loser, the
16 wildlife will be a loser, we'll all be losers.

17 As I stated before, California State Parks
18 is committing that future generations have this park
19 available to visit and to enjoy in perpetuity, that's
11:31 20 forever. This morning I visited the campground. I
21 saw children and their parents sitting around their
22 campfire, listening to the quiet, enjoying a moment
23 away from freeways, from toll roads, from cell
24 phones.

11:31 25 I saw the sun rise, I could smell bacon, and

1 I heard a coyote on a distant hill. I saw students
2 from a local high school running -- running to catch
3 the perfect wave. I saw an elderly couple walking
4 with binoculars, watching birds feed in the morning
11:32 5 light.

6 I share these thoughts with you and my
7 visions this morning because I want you to come to
8 San Onofre. I want you to see what your decisions
9 could impact forever.

11:32 10 Thank you, again, for the opportunity to
11 speak.

12 CHAIRMAN RYAN: Thank you, Mr. Rozelle, for your
13 comments and your good works that you do for our park
14 system.

11:32 15 I'm going to take a break at 12:00 noon for
16 about 15 minutes, so we have an opportunity now for
17 ten speakers, and I'll call these names and if you
18 could be prepared to come forward.

19 The next speaker -- and we'll go back to our
11:32 20 three-minute presentation at this point for
21 comments -- Susan Withrow, Sherri Butterfield,
22 Brittany McKee, Mark Rauscher, Bob Bunyon, Robert
23 Ming, Larry Porter, Drew Irby, Robert Schraeder and
24 Joe Sawtelle. Would you be prepared to speak. Our
11:33 25 next speaker is Susan Withrow. If all of those folks

1 would come forward that I just mentioned and sit in
2 these first two rows, that will help allow for more
3 public testimony today. Is Susan on her way?

4 Let's move forward with Sherri Butterfield.

11:33 5 Is Sherri here? Okay. How about Brittany McKee?

6 Okay. How about Mark Rauscher? How about Bob

7 Bunyon? How about Robert Ming? How about Larry

8 Porter?

9 MS. TALLEY: Mr. Chairman, may I speak instead
11:34 10 of Bob Bunyon, he had to leave?

11 CHAIRMAN RYAN: You bet.

12 MS. TALLEY: Thank you. Good morning, Chairman
13 Ryan, and members of the board. My name is Vickie
14 Talley and I'm here wearing three different hats, as
11:34 15 a homeowner in San Juan Capistrano and the beautiful
16 city of San Clemente as well, as a business owner in
17 the city of Laguna Hills, and then here officially
18 representing the National Association of Industrial
19 and Office Properties, Southern California chapter,
11:34 20 and we're all three hats in favor of the staff
21 recommendation today, but I would like to really
22 focus on the National Association of Industrial and
23 Office Properties, given the incredible impact that
24 their members have and the way they're impacted by
11:34 25 the transportation system.

1 For those of you who aren't aware or
2 familiar with an NAIOP of Southern California, the
3 Southern California chapter actually represents over
4 800 businesses. Those 800 businesses in commercial,
11:35 5 industrial, retail office buildings represent 1.8
6 billion feet of commercial and industrial buildings
7 and house over 5.4 million workers. And those
8 workers go -- spend hours and hours on the
9 transportation system here in our county and the
11:35 10 region, not going only to and from work, but moving
11 goods and services throughout the region.

12 One of the NAIOP's highest priorities is the
13 transportation system, supporting the improvements to
14 the system and, in this particular case, supporting
11:35 15 an extension of the toll road, Foothill South Toll
16 Road.

17 Orange County is one of the highest
18 job-generating counties in the state, located
19 between, obviously, San Diego and Los Angeles County,
11:35 20 and has a tremendous regional transportation
21 responsibility to meet the needs not only of the
22 residents, but also the workers and the business
23 travel and the movement of goods, which is only going
24 to increase substantially, not only with population,
11:36 25 but as years -- we move forward in the years ahead.

1 The completion of the Foothill South Toll
2 Road will provide an important alternative route to
3 I-5, which we've been hearing all morning, and an
4 important critical part of transportation to the
11:36 5 region.

6 NAIOP members move goods from the ports of
7 Long Beach and Los Angeles to the rest of the nation.
8 We're one of the busiest ports in the nation. The
9 projections have increased. International and
11:36 10 domestic trade volumes continue to increase along
11 with truck traffic, which includes -- utilizes all of
12 these transportation corridors. The importance of
13 the Foothill South road cannot be overstated.

14 It's also an important link to commercial as
11:36 15 well as residential access to Los Angeles and Ontario
16 airports. Remember, NAIOP was actually on record
17 favoring the El Toro Airport and one of the -- one of
18 the observations was we still had Orange County and
19 Ontario. Well, we need to be able to get there. We
11:37 20 need to be able to get to those alternative airports
21 since we don't have the increased capacity at John
22 Wayne.

23 CHAIRMAN RYAN: That's three minutes.

24 MS. TALLEY: It is, and I didn't see the light.
11:37 25 Thank you. In conclusion, you've got the message, we

1 are in favor. Thank you for your dedication.

2 CHAIRMAN RYAN: Thank you very much.

3 Susan Withrow, former member on this board,
4 former mayor and former councilwoman, good morning.

11:37 5 MS. WITHROW: Good morning, Mr. Chairman and
6 members of the board. It's good to see you here in
7 my personal favorite city here in Orange County.

8 CHAIRMAN RYAN: Thanks for having us here today.

9 MS. WITHROW: You bet. First of all, I'm here
11:37 10 to register my support for the recommended action.
11 It is clearly another milestone, not only for this
12 agency, but for traffic relief here in Orange County.
13 It's been long awaited. And I think you should all
14 be commended, and we can all agree on the fact that
11:38 15 this has really been a model of planning process.

16 I mean we've had every agency involved that
17 you can imagine in terms of the federal resource
18 agencies, state agencies, and you've looked at
19 alternatives -- more alternatives than you can count
11:38 20 on both hands and they've been studied a great deal,
21 in great depth. And, Mr. Chairman, you know that
22 better than anyone here with your extensive planning
23 background and experience. So you should have
24 nothing but pride for the outcome.

11:38 25 But having said that, there's obviously

1 controversy and opposition attached to this project.
2 And, frankly, I respect and admire the passion that
3 our environmentalists have here, and we've heard
4 their position before. I can remember 15 years ago
11:39 5 some of the same arguments were made. It's hard to
6 deny the benefits that the existing toll roads have
7 provided to the Orange County commuters and those
8 from outside.

9 So I think their efforts have resulted in a
11:39 10 better final product, so we can be thankful for that.
11 And as I said, I certainly appreciate their
12 participation and respect it, but as transportation
13 leaders, I think it's hard for you all to deny the
14 fact that there's really two recurring facts here.

11:39 15 One, there's a need. It's painfully obvious
16 when driving down the I-5 from Camp Pendleton that
17 the I-5 needs help. It needs help right now, but
18 aside and apart from today's need, if you look at the
19 growth for the next 20 years, actually, into 2030,
11:39 20 the most recent figures I saw was demographic
21 research. We're going to grow quite a bit, the
22 county, by hundreds of thousands more people. And
23 what's significant is that 70 percent of that growth
24 will be internal. So that means it's Orange County
11:39 25 families that are already here growing bigger, bigger

1 families. So with that comes the requisite
2 additional proportionate traffic needs.

3 I think the need is undeniable for one
4 recurring fact. And the second fact is forward
11:40 5 progress doesn't have to mean that we trash the
6 environment. And -- and having said that, this
7 agency, under your stewardship and your leadership
8 and with the great staff and great consultants, you
9 have history on your side and a proven track record.

11:40 10 You don't have to look very far to your
11 successful projects of the wetland restorations
12 Chiquita Canyon and amazing preservation that you've
13 done over there in terms of plant life and natural
14 habitat.

11:40 15 So the point I want to make here in closing
16 is that what we all want -- both sides in this
17 argument want the same thing. We want an Orange
18 County that continues to be vibrant and one with an
19 outstanding quality of life that we can work, play in
11:41 20 for years to come. And we can do this, and we can do
21 it responsibly, we, being you guys. You've done it
22 already.

23 I think this alternative before you today as
24 a result of this multiyear process does just that.
11:41 25 It provides transportation congestion relief,

1 frankly, for years to come, and it does so in a way
2 that is least intrusive on the environment. So I
3 think it's a way to please both camps and to move us
4 forward and to make sure that our families continue
11:41 5 to enjoy the quality of life we do today.

6 Thank you for the opportunity to speak. And
7 I urge you and encourage you and hope that you will
8 approve the recommended action.

9 CHAIRMAN RYAN: Thank you, former Mission Viejo
11:41 10 mayor.

11 Sherri Butterfield.

12 MS. BUTTERFIELD: Good morning, Mr. Chairman and
13 members of the board. Susan Withrow is a difficult
14 act to follow, but I'll do my best. My name is
11:42 15 Sherri Butterfield. I'm speaking today as a 34-year
16 resident of Mission Viejo who has served that city as
17 a four-year appointed member of its planning
18 commission and eight-year elected member of its city
19 council and a three-term mayor.

11:42 20 I thank you for your careful consideration
21 and thoughtful deliberations regarding this matter.
22 I also thank you for providing this convenient
23 location and ideal opportunity for those of us who
24 are concerned about inadequate transportation
11:42 25 infrastructure and worsening traffic congestion on

1 local streets to be heard speaking in solid support
2 of the swift completion of Foothill South to its
3 ultimate intersection with Interstate 5.

4 We in Orange County are the beneficiaries of
11:42 5 transportation foresight and planning. A quarter
6 century ago, the County of Orange began planning the
7 transportation infrastructure that would be needed to
8 manage traffic flow in South Orange County today.

9 In 1981, an environmental impact report for
11:43 10 the conceptual alignment of the master plan of
11 arterial highways was certified. That plan
12 identified State Highway 241 as a roadway that would
13 serve the future transportation needs of southern and
14 eastern Orange County.

11:43 15 If funding had kept pace with planning, this
16 highway would have been built years ago and we would
17 not even be here today, but construction of needed
18 roadways was delayed by lack of state and federal
19 highway funds.

11:43 20 The anticipated growth has already taken
21 place. A reliable funding mechanism has been
22 identified. It is past time to complete this vital
23 transportation corridor so that city streets are not
24 forced to bear a traffic burden for which larger
11:43 25 highways have long been intended to spell relief.

1 Thank you.

2 CHAIRMAN RYAN: Thank you.

3 Brittany McKee.

4 MS. McKEE: Thanks for the opportunity to speak
11:44 5 to you today. Unfortunately, meetings like these are
6 really difficult for the regular folks to attend
7 because they're in the middle of the day, the middle
8 of the workweek. You know, I wish that the entire
9 board had been present at the parks commission
11:44 10 meeting in November, when over a thousand people
11 turned out asking the parks commission's help in
12 protecting the state park.

13 I would have liked to have seen the entire
14 board at the high school last summer, when 800 people
11:44 15 turned out and asked that they not have to choose
16 between having a toll road alignment come through
17 their neighborhood and a toll road alignment come
18 through their state park.

19 Obviously, a lot of time, effort and money
11:44 20 has gone into studying this toll road alignment.
21 However, that doesn't ensure that it's the right
22 choice. It does not ensure that it'll succeed
23 financially, trafficwise, and definitely not
24 environmentally. In fact, because so much time and
11:44 25 effort has been spent on this particular toll road

1 alignment, better transportation solutions have been
2 overlooked.

3 As elected officials, I know that you all
4 care about the quality of life of your constituents,
11:45 5 and we all agree we need transportation solutions.
6 But do we not also agree that we need clear air, that
7 we need clean water, that we deserve parks protected
8 for our families, coastal vacation opportunities that
9 are affordable?

11:45 10 We can quibble over the fact that the park
11 is on leased land, we can quibble over the sound
12 wall, how that might impact your ability to camp, we
13 can quibble over whether or not the water filters
14 might actually work this time, but in the end the
11:45 15 facts remain. And those are that this is a toll road
16 that would bisect San Onofre State Beach, the fifth
17 most popular state park in all of California. And
18 San Mateo campground, the last campground built
19 anywhere on the California coast in over a dozen
11:45 20 years and created as mitigation for an expansion of
21 the San Onofre Nuclear Power Plant, which took away
22 public access to that part of the beach.

23 Also, it would bisect the Donna O'Neil Land
24 Conservancy as we heard earlier. The Donna O'Neil
11:45 25 Land Conservancy also was created as mitigation for

1 destruction of habitat elsewhere, not to mention the
2 San Mateo watershed, the last pristine, clean
3 watershed left in Southern California, which feeds
4 Trestles, a world-renowned surfing spot.

11:46 5 Rather than sitting here today and trying to
6 figure out how you might be able to justify trying to
7 mitigate mitigation, why not take an honest look and
8 focus on those alternatives and solutions that you
9 heard today that enable us to provide transportation
11:46 10 solutions that protect our state parks for our
11 families for future generations, protect our clean
12 air and clean surf. You would do so much more for
13 the quality of life for your constituents and future
14 generations. Thank you.

11:46 15 CHAIRMAN RYAN: Thank you for those comments.

16 Mark Rauscher.

17 MR. RAUSCHER: Good afternoon, I think by now.
18 My name is Mark Rauscher. I'm the deputy
19 environmental director for Surfrider Foundation. You
11:46 20 heard from Dave Scully earlier on the study that he
21 did examining the potential impacts to Trestles
22 Beach. As he mentioned, nobody here disagrees with
23 the fact that Trestles is a world-renowned surf spot,
24 deserved to be protected.

11:47 25 His claims, though, of no impact are wholly

1 unsubstantiated. We actually hired an outside
2 consultant, independent, to come in and look at both
3 the TCA studies, Scully study, do a visit and
4 understand the issues here.

11:47 5 Scully claims that the waves are primarily
6 shaped by cobbles and boulders, very large sediments.
7 We agree with that, that's obvious. Unfortunately,
8 neither Mr. Scully nor the other TCA consultants make
9 any attempt to truly understand the nature of this
11:47 10 cobble platform or the delivery mechanisms that has
11 sustained the wave quality.

12 So they make large claims about the fact
13 that, well, you know, these cobbles are out there and
14 they've always been there and they're going to stay
11:47 15 there. Well, you don't know that and your studies
16 don't support that. Again, this is inadequate
17 analysis by your staff and by your consultants.

18 TCA studies took a broad swath looking only
19 at changes relative to the entire San Mateo Creek
11:48 20 watershed, while completely ignoring impacts to the
21 highly sensitive subwatersheds of which this road
22 will cross and fill 20 within the San Mateo basin.

23 Our analyses have shown that the road
24 footprint will include up to 50 percent of some of
11:48 25 these subwatersheds, with no attempt to understand or

1 mitigate the concomitant impacts. Previous studies
2 and examples have shown that these impacts will be
3 anything but insignificant as claimed by the EIR, and
4 will have an unknown but likely devastating effect on
11:48 5 the function of these watersheds on stream flows and
6 on sediment delivery.

7 I urge you not to certify this EIR. There's
8 a lot of work that still needs to be done to really
9 understand what's going to happen. I mention this
11:48 10 50 percent as impacts. Recent studies have shown
11 that an impact of up to 10 percent -- only 10 percent
12 of a watershed causes it to seriously degrade.
13 25 percent of the watershed is irreversible damage.
14 And we're looking at 50 percent of some of these
11:49 15 subwatersheds, primarily within the Donna O'Neil Land
16 Conservancy. That land is going to die.

17 Thank you.

18 CHAIRMAN RYAN: Thank you.

19 Robert Ming. Okay. Larry Porter.

11:49 20 MR. PORTER: Mr. Chairman, members of the board,
21 my name is Larry Porter and I'm from Newport Beach.
22 I want to urge you to not certify the EIR. The EIR
23 is meant to try and present a mosaic of the truth of
24 what actually is to happen.

11:50 25 You've heard that this road is being

1 presented to relieve traffic. That's not the truth,
2 is it? This road is to go through this pristine,
3 beautiful, magnificent last watershed. And it really
4 is to enrich the well-being of the few at the expense
11:50 5 of the many, reaching into the public's pocket,
6 extracting economic resources from them while
7 knowingly destroying one of the finest beaches in the
8 entire world that is on the par of Yosemite.

9 I grew up in this neck of the woods, and to
11:50 10 go upon a project that is based on a lie and a fraud
11 is showing absolute contempt for our future and our
12 fellow citizens. You have before you other
13 alternatives other than this road, that you don't
14 have to destroy what little remains so that people
11:51 15 can enjoy their life and the quiet.

16 Please have a moment of clarity and realize
17 that by approving this EIR and overriding the fact
18 that it is not to relieve traffic, that by not
19 certifying it you will look after the future
11:51 20 well-being of your children and your grandchildren
21 and our sustainability. Thank you very much.

22 CHAIRMAN RYAN: Thank you, sir.

23 Drew Irby.

24 MR. IRBY: Good morning. Thanks, I appreciate
11:52 25 the time this morning of the board of supervisors.

1 My name is Drew Irby. I'm here to represent the
2 South Coast Chapter of Trout Unlimited. I'll speak,
3 first, as a citizen, because I've lived here in
4 Mission Viejo for 21 years. I've seen a lot of
11:52 5 changes, a lot of growth. I've seen riparian and
6 coastal water decline, open space diminish, and I've
7 pretty much hiked and camped all over South County;
8 led Boy Scouts up on San Mateo Creek to a campground
9 of Fisherman's Camp, which is pretty good evidence
11:52 10 that there was once a thriving recreational fishery
11 at one time.

12 I speak now as the president of the local
13 chapter of Trout Unlimited, which is a 5013(c)
14 nonprofit, with over 900 members in Orange County,
11:53 15 5,000 in the state of California, 140,000 nationwide.
16 We remained neutral for a long time, but we thought
17 we should have a say.

18 Our mission statement is very specific. We
19 conserve, protect and restore North America's cold
11:53 20 water fisheries and their watershed. And in South
21 Orange County that means the southern steelhead,
22 truly an amazing fish. Over the last 15 years, our
23 chapter and other groups have logged hundreds, if not
24 thousands, of hours of grass-roots volunteer
11:53 25 conservation work on San Mateo Creek and San Juan

1 Trabuco.

2 San Mateo itself is a jewel and represents
3 the last undeveloped, relatively undisturbed
4 watershed in Southern California, quite possibly the
11:53 5 whole state. If you've been reading the newspapers
6 lately, you have read that we have received a
7 \$1.2 million fish ladder on Trabuco at the I-5
8 freeway to facilitate steelhead passage. This is the
9 biggest restoration project for us and for the whole
11:54 10 state. The steelhead are there.

11 All together we have over 200 million in
12 conservation grants with about half of that allocated
13 to San Mateo. Future plans for San Mateo include a
14 captive rearing program of native steelheads, trout
11:54 15 being released back into the stream. We have been
16 working together with such governmental agencies as
17 California Fish and Game, Coastal Conservancy, and
18 volunteer groups such as the Sage Chapter of the
19 Sierra Club, Friars and others to help make the
11:54 20 steelhead make a comeback.

21 We reject the specific information in the
22 EIR report, especially Section 4.12 about fish,
23 accurate counts since 1995, that's over ten years
24 ago. The report also admits there was negative
11:55 25 impacts on the steelhead fishery and the San Mateo

1 and the solution is to-be-announced mitigation. We
2 can't believe --

3 CHAIRMAN RYAN: You're at three minutes sir,

4 MR. IRBY: Thank you.

11:55 5 Finally, we believe that steelhead is like a
6 canary in the mine shaft. It's a symbol of clear,
7 clean water. When the trout thrives, so do the
8 birds, mammals and insects. Water quality gets
9 better, so does the environment. Our humble
11:55 10 recommendation, leave the creeks alone. Let the I-5
11 arteries be widened and be done with it.

12 CHAIRMAN RYAN: Thank you.

13 Robert Schraeder. Good morning.

14 MR. SCHRAEDER: Good morning, and thank you for
11:55 15 having the public hearing. I'm a longtime resident
16 of Orange County. I use the toll roads regularly. I
17 do business in Orange County and San Diego County,
18 and I have several family members, my mother, brother
19 cousins, aunts and uncles live in San Clemente. I
11:56 20 never quite got to live there yet, but I do consider
21 it home because my mother's there.

22 I, too, attended the state parks meeting. I
23 told my mother that there were people who were
24 opposed to the toll road because she talks to a lot,
11:56 25 and everybody in San Clemente that she talks to,

1 they're for it. So I took her to a meeting and her
2 comment after the meeting -- we stuck around for two
3 hours. We heard your presentation, we heard you
4 hissed and booed as you spoke, and her comment was
11:56 5 "I've never seen any of these people in the city
6 before," but she doesn't surf at Trestles.

7 So most of the time you hear the vocal
8 minority. I don't know if you ever hear the silent
9 majority of those who are for the toll road. So if
11:56 10 you would indulge me one moment, because at the state
11 park they asked those who were against it to stand.
12 I would like to ask those who are for the alignment
13 and the approval of the EIR, the audience, if they
14 would stand. Unfortunately, you don't see the
11:57 15 overflow. Thank you.

16 So I would -- I think the agency has done an
17 incredible job and that you have done all of these
18 studies over the last six years, and at this point to
19 not go forward, I think would be irresponsible. And
11:57 20 if you take all of these studies and do them in a
21 vacuum, to say that, well, TCA studies are invalid,
22 when you've done all of this technical analysis with
23 the collaborative, with Caltrans, with Federal
24 Highway Administration, with the U.S. Fish and
11:57 25 Wildlife, Army Corps of Engineers.

1 So you couldn't develop these studies on
2 your own, you constantly had people checking the
3 facts. And you had the regulatory agencies saying,
4 "No, you can't do this." And you had the FHA saying,
11:57 5 "No, you got to do improvements on the interchanges."

6 So at this point I would encourage you to
7 move forward to approve the green alignment and to
8 approve the EIR. And I will use it regularly as I do
9 business in San Diego and Orange County and I will
11:57 10 get down to my family a lot more. Thank you.

11 CHAIRMAN RYAN: Thank you.

12 Joe Sawtelle. We've got time for one more
13 after Joe and that'll be Meg Waters, if Meg is
14 available.

11:58 15 MR. SAWTELLE: My name's Joe Sawtelle, I'm a
16 resident of Mission Viejo, California. I'm here to
17 support the EIR and urge you to approve that study.
18 I grew up out in San Bernardino, and when I hear
19 people talk about access to Trestles, I think one
11:58 20 thing that hasn't been talked about is how much this
21 project can actually improve access for people out in
22 Riverside and San Bernardino County to actually get to
23 Trestles and enjoy that beautiful state park.

24 I think the study has been very complete.
11:58 25 I'm happy with TCA's work on that project and I think

1 it's time to move this forward. Thank you.

2 CHAIRMAN RYAN: Thank you.

3 Meg Waters.

4 MS. WATERS: I was going to ask people to stand
11:59 5 up, too, because I'd like to ask everyone who arrived
6 here today by bus, train, bicycle or who walked to
7 this hearing, please stand up and demonstrate why
8 more roads aren't needed. There, you have it.

9 My name's Meg Waters and I live in Ladera
11:59 10 Ranch. Although I was a consultant to TCA for more
11 than three years, I am here today representing
12 myself. But in my capacity as a consultant, I read,
13 actually, several drafts of the EIR, met with all the
14 experts involved in putting together the EIR and
11:59 15 wrote the first draft of the project brochure. So I
16 think I can safely say that other than staff, I've
17 read more about this Environmental Impact Report than
18 anybody, I bet, even you.

19 I believe the people that are here today are
11:59 20 good people and that they are opposing this project
21 because they have been grossly misinformed. I can
22 tell by what they're saying that they have not read
23 the EIR, and they have been told things that weren't
24 true or have been exaggerated.

12:00 25 The truth is Trestles will not be harmed.

1 The road doesn't impact the beach, and more
2 importantly the water quality will improve because
3 runoff from both the toll road and I-5 will be
4 treated. No water is treated that runs from I-5 into
12:00 5 Trestles at the moment.

6 TCA has meticulously avoided wetlands and
7 habitat with an alignment that has been approved by
8 all the state and federal agencies charged with
9 protecting the environment and building roads. Now,
12:00 10 anybody can pull out a Magic Marker and can draw a
11 line on a map and claim that they have a better plan,
12 but there are thousands and thousands of factors that
13 have to be considered in this kind of planning. And
14 I guarantee you that in a week's work, nobody could
12:01 15 come up with an alignment that actually takes into
16 consideration all the things that the plan before you
17 has taken into consideration.

18 The truth is, to improve mobility in
19 Southern California and Orange County, there is no
12:01 20 one, single solution, including Foothill South. We
21 need the I-5 widened, we need street and arterial
22 improvements, we need Measure M extended, we need
23 alternatives to the 91, we need alternatives to I-5.
24 We need Foothill South in addition to, not instead
12:01 25 of.

1 Any one of these improvements is not the
2 single answer. It's the sum of these improvements
3 that will create the answer to our traffic and
4 ultimately improve quality of life for everyone in
12:01 5 Southern California.

6 I want to address the issue of opposition
7 again. The overwhelming support for Foothill South
8 is evidenced by years of polling by Dr. Bob Meadow,
9 who I worked with on a number of different issues,
12:02 10 including El Toro. Bob's polling is as dead-on as
11 anyone can get. He was within three-tenths of a
12 point on all of our initiatives 18 months out. So to
13 suggest that his polling is inaccurate in terms of
14 public support, clearly shows that they don't know
12:02 15 anything about polling.

16 More importantly, 900 people did write in in
17 opposition to this EIR, but more than 7,000 wrote to
18 TCA and said, "Build it now." A quarter of a million
19 people every single day get on the road with their
12:02 20 transponder and show their support for these toll
21 roads. And I urge you to approve this EIR and let's
22 get it done. Thank you.

23 CHAIRMAN RYAN: Thank you for your comments.
24 Before we break, ladies and gentlemen, I want to read
12:02 25 the next ten names. We'll come back at 12:20. The

1 next speakers will be Jennifer Cowan Fitzgerald, Dana
2 David, Grant Wetzel, Eddie Rose, Duane Cave, Peggy
3 Ann Buff, Michael Kesler, Gary Meredith, Mel Vernon,
4 and Mai Crumley at 12:20. Thank you. We'll take a
5 20-minute break.

6 (Lunch recess.)

7 CHAIRMAN RYAN: Welcome back, everyone. I want
8 to remind those of you who are in these chambers and
9 spill-over chambers, we have a number of speaker
10 slips here. Don't feel compelled that you have to
11 come up. We're trying to conduct a fair hearing so
12 the board hears all the information and so that we
13 can make an informed decision, likely not today.
14 We're going to adhere to, I think, the outline today.

12:28 15 We're going to continue this meeting a week from
16 today, here at 9:30, in these same chambers for
17 deliberation and discussion and possible action.

18 Based on the submittal slips that came in,
19 we would be here, maybe, constantly for the next
12:28 20 three days. A lot of folks want to speak, don't feel
21 that you need to. I don't want to restrict that, you
22 have every right to do so. We do have the in-favor
23 and opposition and neutral category, and that will go
24 down and be part of our record and part of our
12:29 25 analysis that goes into consideration. So I'd also

1 ask you not to repeat things that we've heard already
2 as we try to move through the rest of the public
3 input today.

4 So with that said, we'll move forward with
12:29 5 Jennifer Cowen Fitzgerald.

6 Jennifer, are you here?

7 Okay. The next speaker would be Dana David.
8 Are you here? Now we can say good afternoon.

9 MS. DAVID: Good afternoon. My name is Dana
12:29 10 David. I am immediate past president of the Mission
11 Viejo Chamber of Commerce, and I'm a resident here in
12 the city of Mission Viejo and I'm here speaking on
13 behalf of myself this afternoon.

14 I feel that the extension of the 241 Toll
12:29 15 Road South is vital to the quality of life for the
16 residents of Mission Viejo. I've lived in Mission
17 Viejo for the past 13 years, and during this time I
18 have seen South Orange County grow and prosper with
19 the construction of the communities of Ladera Ranch
12:29 20 and Talega, the expansion of Mission Hospital,
21 remodel of The Shops at Mission Viejo, redevelopment
22 of the El Toro Road project to name just a few of the
23 improvements within South Orange County.

24 I have seen the traffic increase
12:30 25 dramatically. The Ranch Plan calls for another

1 12,000 homes in Ladera Ranch area. Mission Viejo
2 cannot nor should not be expected to provide the
3 majority of arterial access to the I-5 Freeway. And
4 once we do funnel this traffic through our city to
12:30 5 the I-5, it sits on our streets due to the backup of
6 the traffic on the I-5, better known as the I-5
7 crawl.

8 Not only does the added traffic affect the
9 ability to maneuver within the city, it creates
12:30 10 additional vehicle exhaust from idling vehicles, dust
11 and noise for those of us living in close proximity
12 to the arterial route and to the I-5.

13 We must have an alternative route for the
14 traffic heading north and south of Mission Viejo. I
12:31 15 urge the TCA to approve the extension of the 241 Toll
16 Road South as this extension is vital to the quality
17 of life for the residents of South Orange County and
18 to the long-term vision for development and traffic
19 flow through South Orange County. Thank you.

12:31 20 CHAIRMAN RYAN: Thank you.

21 Grant Wetzel.

22 MR. WETZEL: I'm from Laguna Beach and I
23 witnessed the traffic load in Southern Orange County
24 for 45 years and have not been impressed that the
12:31 25 toll roads are an effective solution for traffic, to

1 still permit us to enjoy the natural environment
2 surrounding us, which is one of our original reasons
3 for locating here.

4 I do not feel the Foothill freeway would be
12:31 5 an effective solution to the traffic problems.

6 CHAIRMAN RYAN: Thank you, sir.

7 MR. WETZEL: Thank you.

8 CHAIRMAN RYAN: And you win for brevity today so
9 far.

12:31 10 Eddie Rose.

11 MR. ROSE: Good afternoon. I'm former Laguna
12 Niguel City Councilman Eddie Rose. I'm also a
13 candidate for the Orange County Board of Supervisors
14 from the 5th District. Perhaps the best place to
12:32 15 start when addressing the proposed Foothill South
16 Toll Road extension is with Webster's definition of
17 the word toll.

18 Webster's dictionary defines toll as, quote,
19 "The cost in loss or suffering at which something is
12:32 20 achieved," end quote. Clearly, what will be lost to
21 future generations of Orange County residents if this
22 toll road is allowed to go forward is precious
23 remaining open space for camping, hiking, beach and
24 surf activities and enjoying nature. What will be
12:32 25 achieved is more development, more air and water

1 pollution and more traffic congestion.

2 Make no mistake about it, despite the
3 disingenuous propaganda contained in the factually
4 challenged TCA Environmental Impact Report, toll
12:32 5 roads do nothing whatsoever to ease traffic
6 congestion. What toll roads do is facilitate more
7 development.

8 If we are truly concerned with alleviating
9 traffic congestion in South Orange County -- and as a
12:33 10 candidate for the Orange County Board of Supervisors,
11 I certainly am -- then we can focus our efforts on
12 building a mass rapid transit system along the
13 existing freeway rights-of-way, instead of wasting
14 taxpayer money on a cost prohibitive, habitat
12:33 15 destructive, unneeded and unwanted toll road.

16 Loss of natural habitat and open space is
17 not replaceable or mitigable. Once it's gone, it's
18 gone forever. If we as decision-makers do nothing
19 else during our tenure in office, at the very least
12:33 20 we can leave a legacy of open space and a clean and
21 healthy environment for future generations to enjoy
22 and appreciative.

23 As a former elected official, I have no
24 illusions regarding the objectivity or rather the
12:33 25 lack thereof of the TCA, nor do I have any illusions

1 regarding the outcome of this hearing. And while you
2 may prevail today, I can assure you you will not
3 prevail in subsequent court actions. If you think
4 you can ram a toll road down the throats of Orange
12:34 5 County residents, decimate San Onofre State Beach and
6 destroy San Mateo campground in clear violation of
7 the Coastal Act and the Endangered Species Act, in
8 the words of the former mayor of Carmel and the
9 present vice chairman of the California State Parks
12:34 10 Commission, Go ahead, make my day.

11 CHAIRMAN RYAN: Remember, you've been so good so
12 far and I really appreciate it and the board
13 appreciates it, but we're not going to have cheering
14 and booing. Thank you.

12:34 15 Duane Cave.

16 MR. CAVE: Mr. Chairman, directors, my name is
17 Duane Cave and I'm here as chairman of the board for
18 the South Orange County Regional Chamber of Commerce.
19 Our Regional Chamber of Commerce serves over 900
12:34 20 businesses in South Orange County cities of Aliso
21 Viejo, Laguna Hills, Laguna Woods, Lake Forest,
22 Mission Viejo and Rancho Santa Margarita.

23 Our chamber members know that economic
24 development is very important for our region.

12:35 25 Transportation is key to economic development, and we

1 need to move commerce and we need to be able to get
2 people to and from their jobs. By completing the
3 Foothill South extension, we will relieve the growing
4 congestion on the I-5 and arterial roadways.

12:35 5 With less time spent on congested freeways
6 and roadways, we will have more time to spend with
7 our families, enjoying the great quality of life that
8 we all enjoy here in South Orange County. Because of
9 this, our members have taken a position in favor of
12:35 10 the completion of the Foothill South extension.

11 We urge the board to approve staff
12 recommendations and to get South Orange County moving
13 again. We say let's build it now. Thank you very
14 much.

12:35 15 CHAIRMAN RYAN: Thank you, sir.

16 Peggy Ann Buff.

17 MS. BUFF: Hi. I've been a San Clemente
18 resident for 21 years and I love my community, but
19 traffic congestion is becoming unbearable. The
12:36 20 Foothill South promises relief for residents and
21 commuters alike. Frankly, I feel like an endangered
22 species and wish that those who are here today to
23 oppose the Foothill South would focus on viable
24 solutions rather than being naysayers. We just can't
12:36 25 afford that kind of elitist attitude. Let's build

1 this road. Thank you.

2 CHAIRMAN RYAN: Thank you.

3 Michael Kesler.

4 As Michael comes forward, we've got three
12:36 5 more after him. I want to read the next ten that
6 will follow him. That will be Paul Glabb, I think it
7 is, Mark Gaughan, Hamid Bahadori, Carolyn Wood,
8 Richard Gardner, Steven Tanapor, Paul Guptill,
9 Carolyn Kramer, Gordon Jones and Donna Varner will be
12:36 10 up soon.

11 Good afternoon, sir.

12 MR. KESLER: Good afternoon, and thanks for the
13 opportunity to speak. I am a resident of San Diego
14 County, but a businessman here in Orange County and
12:37 15 I'm also a father of three children. I have used the
16 state parks and I take my kids camping every other
17 month. So I feel like I represent a lot of issues
18 that we've talked about here today.

19 You know, I've had to fight the traffic. I
12:37 20 make this trip three or four days a week. I've used
21 the toll roads. I know that my employees do and it's
22 hard on them, and there's a cost there too. We've
23 talked about a lot of different costs here and
24 there's a cost to those employees.

12:37 25 I had a friend, after many hours of commute

1 fell sleep at the wheel and died, and left two
2 children and a mother, a wife, at home, and those are
3 hard things to think about.

4 Our decisions here affect people who have to
12:37 5 spend a lot of time on the road, and I really hope
6 that you put this toll road through. Thank you.

7 CHAIRMAN RYAN: Thank you.

8 Gary Meredith.

9 MR. MEREDITH: I'd first like to say thank you
12:38 10 for letting me and everyone else speak here, and
11 thank you very much for coming here, Mr. Wilson.

12 The point I want to make, first of all, is I
13 do wildlife photography, so I'm outdoors every day.
14 I see what happens to our wildlife. And I live in
12:38 15 Laguna Beach. I was born in Santa Monica and I've
16 been in Orange County my entire life, and I'm 47
17 years old going on 48 next week. Here's what I want
18 to say.

19 The TCA claims that they care so much for
12:38 20 the environment, when they run ads in the papers like
21 the Orange County Register and the L.A. Times on how
22 much they saved the areas where the California
23 gnatcatcher used to live.

24 Point number two, if your group, the TCA, is
12:38 25 true to their word, they will save this area from

1 being turned into a road, to protect the wildlife
2 that lives in the path of the Foothill South Toll
3 Road. So here it is. Does the TCA really care about
4 this area or does the TCA only care about building
12:39 5 this road for the developers? I personally think
6 it's for the developers.

7 Number three, the TCA, they have run out of
8 money, and they have. They can't maintain their own
9 roads without closing them. A recent closure they
12:39 10 had was on the 241. So does this -- is this a good
11 thing? I don't think so. This is problems.

12 Your engineers certainly have done a real
13 great job on the storm drains on the 73. Look at the
14 rains we had last year and look at the pollution
12:39 15 problem on the 133. So if this happens, it'll
16 probably do the same thing with Foothill South, water
17 pollution problems. San Mateo Creek is not polluted
18 right now.

19 This project, the Foothill South, is going
12:40 20 to provide a wildlife crossing, and this works really
21 great. Is this in deer language? I don't think the
22 deers can read it.

23 The final conclusion we have is wildlife,
24 along with the people that live in South Orange
12:40 25 County, have been infected with the toll roads

1 disease. Is this curable? It is if we don't build
2 Foothill South. Even the people at the TCA, on their
3 own Web site have not one but two no-action plans.
4 So you might want to practice what you preach and do
12:40 5 what is right for the people and the wildlife of
6 South Orange County and do your own action, which is
7 no plan.

8 Just to make my point here, this is on the
9 TCA's own Web site. Right at the bottom they have --
12:40 10 there's a no-action alternative under four different
11 land use scenarios. And for those of you who do
12 subscribe to the Orange County Register, I hope you
13 read last Sunday's section, "Balancing Act." And
14 it's just something in there, on page 1011 -- I know
12:41 15 I'm out of time here -- but on page 1011, Pat
16 Brennan, wonderful writer, wrote about the
17 environment, of how we'd be impacted if the toll road
18 is built. Thank you very much.

19 CHAIRMAN RYAN: Thank you. Mr. Meredith, are
12:41 20 you representing Sea and Sage Audubon?

21 MR. MEREDITH: Yes.

22 CHAIRMAN RYAN: Thank you.

23 Mel Vernon.

24 MR. VERNON: Mr. Chairman, my name is Mel
12:41 25 Vernon. I'm here for the San Juan Band of Mission

1 Indians people here in support of the Acjachemen
2 people, the Juaneno people in Capistrano, Orange
3 County, and also support for the -- showing support
4 for the ranger that spoke up about keeping the parks.

12:42 5 Where my concerns are cultural at first,
6 showing that the Indians were probably the first ones
7 walking down to the beach in that direction, showing
8 the path where the future freeways will go. I
9 understand there's -- we have sacred sites there.

12:42 10 The village of Ponzaze (phonetic) is there. There's
11 ancestors, no doubt, still there who want to
12 understand the culture, and that in itself needs to
13 be acknowledged. That site is not going to move.

14 That site has also already been desecrated in
12:42 15 different ways, but at least right now, with the park
16 that's there, it serves as a buffer and something
17 that we can look forward to when we start talking
18 about forever. When we start talking about how
19 forever comes in my lifetime, I've seen it happen.

12:43 20 The vision that we have ends up being very
21 shortsighted and usually is driven by other things
22 than culture or preservation of space.

23 Moving onto the subject a little bit
24 further, I'd like to say that the 2 million people
12:43 25 that -- that do go there, basically what we're

1 looking at is urban escape. The very thing we've
2 created, our progress has given us our own problems.
3 Our freeways are congested. Those are supposed to
4 alleviate problems, but the reality is more people
12:43 5 drive up and down the 5 than are going to use any of
6 the toll roads.

7 I notice that most of the people -- they're
8 called freeway for a reason, no tolls, it's free. I
9 use those roads. I came up all the way up from San
12:43 10 Diego this morning. And one of the things I see
11 alleviating some of these things is -- there is a
12 time where people are all congested at one time.
13 Maybe we should look at staggering something in a
14 certain way or maybe we should put a toll road on 5,
12:44 15 charging people more money. Nobody wants to hear
16 that, but when we're projecting 25 years, I don't put
17 that out of the idea that we'll be charged in a
18 certain way to use our roads that we do have free
19 now.

12:44 20 Anyway, I'm just -- I see the experts are --
21 are contradicting themselves. I see technology
22 catches up with itself. I see where we're going to
23 save some water on that road, but there's more water
24 going off the rivers than all the other freeways that
12:44 25 we have now. So we're looking at -- what we're

1 looking at -- I see our future doesn't look too
2 bright, and it's right here right now. I don't think
3 this toll road is going to change a lot of that.
4 Thank you very much.

12:44 5 CHAIRMAN RYAN: Thank you, sir.

6 Mel Vernon -- oh, excuse me. Thank you,
7 Mr. Vernon.

8 Mai Crumley.

9 MS. CRUMLEY: Good afternoon, members of the
12:45 10 board and also Chairman Ryan. My name is Mai
11 Crumley. You had it wrong the first time, but you
12 caught on. Thank you very much for announcing the
13 name right.

14 CHAIRMAN RYAN: You're welcome. That was lucky.

12:45 15 MS. CRUMLEY: I've been in Orange County about
16 ten years now, most of my adult life. I came here
17 from San Luis Obispo County and really love this
18 area. I have a lot of friends here and a lot of
19 co-workers here, and I established myself in this
12:45 20 community and wish to continue in this community as
21 it is and with its growth.

22 With the last ten years I've noticed a lot
23 of growth and development in commercial land as well
24 as in residential land, so much so that I can see my
12:45 25 home here. But the commercial development has

1 invited a lot of technology companies to head down in
2 this direction and has made Orange County very
3 appealing and has made Orange County somewhat, maybe,
4 another Simi Valley. You might not want to consider
12:46 5 that, but it's very appealing for companies to move
6 down here.

7 I've seen Genentech move down here, Cisco is
8 down here, as well as some of the other technology
9 companies. And with that growth also comes
12:46 10 population obviously, and we have to handle that
11 situation as well.

12 I am for the construction of the toll road
13 and for your recommendation and consideration of the
14 approval of the EIR, and I look forward to your
12:46 15 decision. And on a personal note, I mention this to
16 a lot of my co-workers -- I'm embarrassed to mention
17 it -- but I have a Persian cat whose name is Chubby.
18 He's got really long hair and every month I have to
19 take him down to Aliso Viejo to get him groomed. My
12:46 20 drive from Santa Ana, beautiful Santa Ana, of course,
21 it takes probably about 45 minutes to get down here
22 on the I-5, early in the morning before I get to
23 work.

24 However, I've started taking the 73 and that
12:46 25 reduces the time down dramatically for me. It takes

1 me 15 minutes to get down here. And why I mention
2 that is because I'm deathly allergic to cats and I
3 have to take medicine in order to be in the car with
4 him for such a long time or I break out in hives.
12:47 5 Now, if that was shortened down to 15 minutes instead
6 of 45, you saved my life for the day. Thank you.
7 CHAIRMAN RYAN: Thank you. Have you ever
8 thought about dogs?
9 MS. CRUMLEY: I do have one.
12:47 10 CHAIRMAN RYAN: Okay. Paul Glabb.
11 MR. GLABB: Mr. Chairman and members, Paul
12 Glabb, Laguna Niguel city council. I come before you
13 today in very strong support of the Foothill
14 extension, and believe that this infrastructure
12:47 15 captures the vision that was announced by our
16 governor here recently, and it's very, very much
17 needed for the public safety of our community and the
18 condition of lifestyle that we've come to know.
19 And I, therefore, urge your strong aye vote
12:47 20 as this item comes before you. Thank you very much.
21 CHAIRMAN RYAN: Thank you, sir.
22 Mark Gaughan.
23 MR. GAUGHAN: Mr. Chair, it's always nice to
24 come before a board like this, but I have to say that
12:48 25 this is extra intimidating today with the numbers you

1 have there. Good afternoon to everyone. My name is
2 Mark Gone. Today I will be speaking as the past
3 chair of the Orange County Taxpayers Association, but
4 for a little bit of background with regards to
12:48 5 myself, I also have sat as the past chair of the
6 South Orange County Chamber of Commerce, currently
7 the vice chair of the Bolsa Chica Conservancy, I'm a
8 member of the Sierra Club, I'm a member of the
9 California State Parks Association -- Parks
12:48 10 Foundation, I'm a resident of the Santa Ana/North
11 Tustin area and I'm a proud Orange County Democrat.

12 So with that I will say the Orange County
13 Taxpayer Association cares about the environment as
14 well. That's one reason why we support the toll
12:49 15 roads. Free-flowing traffic causes less pollution
16 than stop-and-go traffic. Just as importantly, it
17 generates economic wealth and enables us to maintain
18 our parks, beaches, private land, housing, water and
19 sanitary systems, flood controls, land fills,
12:49 20 recycling facilities, fire protection and other
21 services that enhance the environment.

22 We believe strongly in user fees, and the
23 toll road concept is a user fee. We pay taxes
24 because we are forced to pay taxes if we use the
12:49 25 services or not. We pay tolls voluntarily and we

1 believe it is a fair exchange in using these roads.

2 Voluntary investment is better than using
3 taxes to build infrastructure. The Orange County
4 Toll Roads are 85 percent funded by nonresource
12:49 5 revenue bonds, not taxpayer-guaranteed general
6 obligation bonds. Development fees and grants make
7 up the rest.

8 As a citizen of this, I have watched -- and,
9 of course, being involved in many of these

12:50 10 organizations -- I have watched the development --
11 the concept of the toll roads, the development of the
12 toll roads. And I'd like to take a step back and
13 compliment this board, prior boards, the staff of the
14 Transportation Corridor Agency for taking such a
12:50 15 methodical approach in working towards the
16 development of these roads.

17 I have witnessed what you have done with
18 regards to the proposed extension of the Foothill
19 Transportation Corridor and I compliment you with
12:50 20 regards to that. I look forward to the day we start
21 construction. Thank you.

22 CHAIRMAN RYAN: Thank you Mr. Gaughan.

23 Our next speaker is Hamid Bahadori.

24 MR. BAHADORI: Honorable Chairman Ryan and board
12:50 25 of directors, good afternoon and happy New Year. I

1 think it still qualifies in January to say happy New
2 Year. I'm Hamid Bahadori representing the Automobile
3 Club of Southern California, and thank you for the
4 opportunity today to share my thoughts and views with
12:51 5 you today about this important project.

6 The Auto Club supports the completion of the
7 Orange County Toll Road system by expanding the
8 Foothill Transportation Corridor from its current
9 terminus at Oso Parkway to the I-5 freeway. For more
12:51 10 than 100 years, the Auto Club has advocated for
11 traffic mobility and improvements. On behalf of our
12 members, we are nearly 6 million, with over 920,000
13 of them in Orange County.

14 Without the proposed project, traffic
12:51 15 volumes are expected to increase by almost 60 percent
16 on I-5 in the San Clemente area by the year 2025.
17 This increase in traffic congestion will result in
18 more air pollution, a lower quality of life and
19 diminished potential economic growth and prosperity
12:51 20 in the region, not to mention its impact on the local
21 streets and arterials.

22 Significant widening on I-5 to accommodate
23 this additional traffic, regardless of the debate on
24 the final geometrics, is not realistic and feasible.
12:52 25 Any potential I-5 widening would be far more

1 disruptive to the local community and economy,
2 requiring demolition and relocation of hundreds --
3 depending on the numbers -- tens of hundreds of
4 businesses and residences.

12:52 5 Furthermore, even if after years of planning
6 this project is approved, the I-5 widening, in light
7 of its estimated cost of \$2.4 billion, Director Quon
8 will tell you that this project will not have any
9 serious consideration for funding at the state level,
12:52 10 considering the status of the transportation funds
11 and the competing projects. Not to mention that the
12 renewed Measure M, the efforts that are ongoing now
13 do not have any dollars allocated for that project
14 until the year 2041.

12:53 15 By contrast, the Foothill South extension
16 project, effectively utilizes a successful existing
17 private partnership that has built more than 50 miles
18 of highways in our county.

19 As our population unavoidably grows, if our
12:53 20 transportation system fails to grow as well, our
21 economy and quality of life will be at risk. We need
22 transportation champions, leaders like you who have
23 the vision and the courage to consistently and
24 effectively keep and implement transportation
12:53 25 solutions.

1 Today your board faces a unique opportunity
2 that if missed will significantly and adversely
3 affect South Orange County for decades to come. If
4 you don't build this road today, it will never be
12:53 5 built. South Orange County will join the long list
6 of other regions, such as South Pasadena and
7 Alhambra, that will struggle in futility for decades
8 to solve the traffic congestion problem.

9 We respectfully request that you continue
12:53 10 the rich tradition of this board --

11 CHAIRMAN RYAN: You're at three minutes, sir.

12 MR. BAHADORI: -- and access the leadership and
13 certify EIR and move this project towards its final
14 completion. Thank you for the opportunity to share
12:54 15 our views.

16 CHAIRMAN RYAN: Thank you.

17 Carolyn Wood. After Carolyn will be Richard
18 Gardner and Steve Tanapor.

19 MS. WOOD: Thank you. I'm Carolyn Wood and I'm
12:54 20 representing the Laguna Canyon Conservancy. I'm out
21 of breath because I just ran across the street for my
22 pastrami sandwich.

23 CHAIRMAN RYAN: Sorry to do that to you.

24 MS. WOOD: It's kind of like a replay of several
12:54 25 years ago of San Joaquin. I can remember the

1 headlines were that we'd have 90,000 ADT, average
2 daily traffic, on the San Joaquin the first week it
3 opened. And yet I think it's ten years later today,
4 and I think they probably have reached the 90,000. I
12:55 5 know it was running 70-, 80,000, and I'm not sure,
6 they don't have it on the Web site anymore so I don't
7 really know, but I think the thing here is sometimes
8 we miss the point.

9 I don't think anybody argues that we're
12:55 10 going to have lots more people, the roads are getting
11 more crowded every day. But is this the right
12 solution? Who are your customers, so to speak? We
13 would challenge the TCA to do a study similar to what
14 Caltrans did in 1989, and that was when they were
12:55 15 going to widen the Y and 405 and 5. Anyway, they had
16 a camera at Lake Forest that took a picture of the
17 license plates -- and Caltrans does this all over the
18 state when they are doing projects -- and then they
19 sent out a survey to those people that they had their
12:55 20 license plate that said where were you going or where
21 did you come from? Where were you going? How many
22 were in your car? How often do you go this way?
23 Based on that, they had a good idea of who they
24 were -- what product they were trying to service.

12:56 25 Now, if it comes back that a lot of people

1 from San Diego County are going to Riverside, North
2 Orange County, then that gives you a stand to say
3 it's really needed. We've got to do something for
4 these folks. But on the other hand, if it comes out
12:56 5 that they're going to East L.A. or West L.A., other
6 places, Costa Mesa, down the coast, Seal Beach, then
7 you'll have something to base that on.

8 Now, if it comes back that it's lopsided and
9 there's a lot more that are going to be -- that will
12:56 10 continue to have to use the 5, they'll not be able to
11 use that, then that also gives you a chance to figure
12 out, well, we've got to widen the 5 or we've got to
13 do something to get those people off the 5 because
14 there's not going to be room.

12:56 15 But I would challenge you to do this study.
16 Caltrans has the format and I think it would be
17 beneficial to both the TCA and the public. You could
18 really see what you need and then go from there. I
19 thank you very much.

12:57 20 CHAIRMAN RYAN: Thank you, Ms. Wood.

21 Richard Gardner.

22 MR. GARDNER: Hi, I'm Richard Gardner. Speaking
23 as a citizen, and I've been involved in this issue
24 and studied it from several perspectives, water
12:57 25 quality has been mentioned quite a bit,

1 transportation, and actually the woman who just spoke
2 kind of stole some of my wind because I was going to
3 recommend following up to what Supervisor Norby
4 suggested, a matrix. And the simple matrix I'm
12:57 5 looking at is one in which you have all the cities or
6 points of origin and all the destinations, which
7 would be the same list of all the cities. So then
8 along with diagonals, of course, would be the zeros,
9 because if you're going to Mission Viejo and you're
12:58 10 in Mission Viejo, you're not going anywhere.

11 On the other hand, there's two numbers or
12 two qualifiers that go in the boxes that have to do
13 with the cost of the transportation, which impacts
14 the distances involved and the tolls, if you include
12:58 15 the toll road. And that way you could understand
16 better where -- the people who use this.

17 It's certainly understandable that the
18 people in the Ranch area, Santa Margarita, Ladera
19 Ranch, that they will use the road in that area,
12:58 20 that's understandable. What I've suggested before is
21 that people in the Chino Hills, Talega -- I mean
22 Temecula and out in those areas, if they wish to go
23 south to the Oceanside area, they most likely will
24 travel inland and then down the 76 or the 78 which
12:58 25 are free. And, actually, the distances aren't much

1 different and may be even shorter.

2 Then I'm kind of a moderate here. I'm
3 recommending a middle of the road kind of potential
4 solution, and that would be the potential extension
12:59 5 of the Foothill South to a hub area just east of San
6 Juan Capistrano on Ortega. From there the spokes of
7 the hub would travel to Las Ramblas Road that brings
8 you to Dana Point, Los Mares Road which brings you to
9 Capistrano Beach, Vista Hermosa, La Pata, running
12:59 10 across, and Pico, and maybe an extension, a two-lane
11 road, Cristianitos down to the 5. So you have five
12 ways to get to the 5, and most of the people
13 traveling, their designations will be these coastal
14 areas.

12:59 15 I don't believe they'll all be going to
16 Oceanside. It doesn't make sense to me. Either way,
17 with five options they can easily get to the 5. And
18 you're going to have to go on the 5 south whether
19 you're going to San Diego or not.

01:00 20 Now, coupled with this is the high-speed
21 rail authority EIR that was investigated, many of you
22 are aware of. In that one it said that they
23 recommended an alignment following the so-called toll
24 road be considered. Well, that alignment brings the
01:00 25 hub for the rail to the inland area, inland from San

1 Juan Capistrano --

2 CHAIRMAN RYAN: Three minutes, sir.

3 MR. GARDNER: -- anyway, that high-speed rail
4 would allow an eastern -- a route, high speed all the
01:00 5 way down through Camp Pendleton on the inland side of
6 the 5, which would do a great deal to remedy traffic
7 problems. Thank you for considering that.

8 CHAIRMAN RYAN: Thank you.

9 Steven Tanapor.

01:00 10 MR. TANAPOR: Good afternoon, Mr. Chairman,
11 honorable members of the board, thank you for the
12 opportunity. I'm here representing -- my name is
13 Steven Tanapor and I'm representing myself as an
14 individual living in Orange County. Also, lots of
01:01 15 members of my family live in different cities in
16 Orange County who are positively impacted by the
17 construction of the toll road -- will be, and have
18 been impacted by the existing toll roads.

19 I would like to challenge some of my friends
01:01 20 who actually spoke earlier, those who are in
21 opposition. With all due respect to them, I really
22 do believe they're too complacent on some of the
23 issues. We live comfortably, everything is okay, we
24 have no disasters, no threat.

01:01 25 Let's say tsunami. We all watch TVs. We

1 are all expert in tsunami, which is really a Japanese
2 word for tidal wave. And it's around the corner, any
3 time it could happen. This is -- many cities are
4 built on low land and areas. Especially one of my
01:01 5 friends actually spoke over here, Newport Beach, and
6 I really am concerned how they're going to be
7 relocated quickly. Now, the 73 is going to help them
8 relocate a little faster.

9 And talking about a disaster, I actually
01:02 10 worked for 40 years as an engineer, designer of
11 facilities. Now I'm a volunteer for Office for
12 Emergency Services. I think about the life -- public
13 welfare and safety of people in emergency, how am I
14 going to be able to help them. I'm a structural
01:02 15 engineer and I can only help them after the fact, but
16 I like to be proactive.

17 I really think you have a major duty in your
18 hands, members of the board, to look proactively to
19 build more roads because people don't realize when
01:02 20 they're needed, they don't have them. And I really
21 believe this is a major threat.

22 As a matter of fact, if some of you are old
23 enough, as I am, to remember the Russian nuclear
24 threat in 1960s, I was called by the Department of
01:03 25 Defense to be trained for three months to design

1 shelters, which some of them are still there -- I
2 don't know if they're going to be used or not --
3 fallout shelters. Nuclear threat is a reality.

01:03 4 Of course, we don't know if North Korea's
5 going to be doing any of that, but what if it
6 happens? We need to really take people quickly. The
7 shelters were designed to house people that cannot
8 relocate, the best way is to get out as quickly as
9 you can. So that is a real threat.

01:03 10 So I urge you to consider positively to help
11 people that may not realize they need it. Help them
12 understand that. Thank you very much.

13 CHAIRMAN RYAN: Thank you, sir. Paul Guptill.

01:03 14 MR. GUPTILL: My name is Paul Guptill and I
15 would like to thank Chairman Ryan and members of the
16 board for allowing us citizens of Orange County to
17 speak to you today about the extension of the
18 Foothill South.

01:04 19 This is an issue that affects the quality of
20 life for all Orange County residents. I'm a native
21 California and a native Southern Californian, and
22 I've seen and lived with the growth explosion from
23 Los Angeles to San Clemente over the past 57 years.
24 I've been a resident and worked in Orange County for
01:04 25 the past 33 years. I even worked on construction of

1 Lake Mission Viejo dam. I watched Mission Viejo,
2 Lake Forest, Aliso Viejo, Tustin, El Toro, Laguna
3 Niguel and an extension of all the coastal cities
4 until they have bled into one undistinguishable
01:04 5 continuum of houses and businesses with no separation
6 between them.

7 I have a few questions that I'd like to ask
8 and then offer my humble opinion as -- in the form of
9 answers.

01:04 10 First, do we expect the growth explosion of
11 Orange County to stop now that the areas along the
12 I-5 have reached a complete build-out of continuous
13 cities? My answer is an emphatic no. We'll see
14 continued growth of housing and projects, with
01:05 15 businesses, wherever they will fit in remaining
16 spaces, and especially in Eastern Orange County.

17 Second, has our 1970s infrastructure kept up
18 with rapid growth of Orange County? Officials from
19 six Southern California counties say absolutely not.
01:05 20 On the front page of the January 6 Orange County
21 Register, Orange County received an F in its report
22 card for transportation and was rated as the most
23 congested county in the nation. I'm not sure that
24 the board would agree with that, but that's what they
01:05 25 said.

1 Is Orange County's traffic going to be
2 getting any better with a housing plan and Great Park
3 and the ongoing expansion of eastern Orange County,
4 including communities of Rancho Santa Margarita, Coto
01:05 5 de Caza, Ladera Ranch and Rancho Mission Viejo?
6 Absolutely not. I'm not a traffic expert, but I can
7 see what's going on. All of our roads are getting
8 more and more crowded.

9 Where is all the new traffic going to go
01:06 10 from eastern Orange County? The new traffic is going
11 to travel from eastern Orange County through Lake
12 Forest, Mission Viejo, San Juan Capistrano, and even
13 San Clemente on Interstate 5, adding 60 percent more
14 traffic during rush hours than we see today.

01:06 15 These are the facts. I believe that a
16 nontoll road expansion alternative of the I-5
17 abandons all of these communities and any hope that
18 they have of relieving their traffic. What can be
19 done to help relieve the certain gridlock of Orange
01:06 20 County roads? I say responsible infrastructure
21 planning and implementation is the only answer that
22 we can accept.

23 The Foothill South Toll Road has long been
24 in the planning and mostly implemented. I say the
01:06 25 only answer for the future of Orange County is to

1 finish the infrastructure implementation now. Let's
2 complete the connection of the Foothill South Toll
3 Road to Interstate 5 south to San Clemente. Let's
4 complete the promise, the obligation to Orange County
01:07 5 residents. Thank you.

6 CHAIRMAN RYAN: Thank you, sir. Carolyn Kramer.
7 Carolyn, are you here? Gordon Jones? Okay. Donna
8 Varner? Once again, those in favor or in opposition
9 will be noted for the record even if you don't speak.

01:07 10 Donna Varner.

11 MS. VARNER: Chairman Ryan, members of the
12 board, I agree with the last speaker, and I was going
13 to say something very similar, but very short. My
14 name is Donna Varner. I'm a resident and I own a
01:07 15 business in Mission Viejo.

16 As a resident and one who travels south on
17 the I-5 frequently, I know how that traffic gets
18 between Mission Viejo and San Clemente. If nothing
19 is done now to mitigate this traffic problem, it'll
01:07 20 only get worse. The toll road will not create new
21 development. It is coming whether or not the toll
22 road is built. New homes are planned well into the
23 future.

24 It is irresponsible not to plan for the
01:08 25 future and to avoid the I-5 in South Orange County

1 becoming another 91 gridlock. There is only one
2 regional route currently through South Orange County
3 and it's constantly impacted by traffic between San
4 Diego and Los Angeles.

01:08 5 The completion of the Foothill South is
6 critical to all who travel in and through South
7 Orange County. Thank you very much.

8 CHAIRMAN RYAN: Thank you for your comments.
9 Staff, do we still have spillover folks in the
01:08 10 Saddleback Room or is everybody here; do we know?

11 UNIDENTIFIED SPEAKER: Everybody is here.

12 CHAIRMAN RYAN: Okay. Our next ten speakers
13 will be Houman Makarechi, Eleanor Henry, Eban
14 Sprague, Mike Crawford, Nancy Hunt, Nancy Nolan, Sue
01:08 15 Wallman, Allan Beek, Karen Phelps and Paul Whitelock.

16 Ramon Makarechi, are you here?

17 MR. MAKARECHI: Yes.

18 CHAIRMAN RYAN: Good afternoon, sir.

19 MR. Makarechi: Good afternoon, my name is
01:09 20 Houman Makarechi and my family and I have lived in
21 South Orange County for the last 19 years. During
22 this time, I have experienced an increase in traffic
23 congestion along the I-5. I also have experienced
24 the benefits of having existing toll roads.

01:09 25 Prior to the opening of San Joaquin Hills

1 Toll Road, my commute to work used to take 50 minutes
2 to an hour for a distance of less than 20 miles.
3 After the toll road was opened, my commute time was
4 cut to less than half. That meant I could spend one
01:09 5 more hour every day with my family instead of sitting
6 in traffic. We have been frequent users of all the
7 toll roads since then.

8 Foothill South saves time and will benefit
9 residents of Orange County. The environmental
01:09 10 impacts have been extensively studied and appropriate
11 mitigation measures have been developed. I'd like to
12 ask you how many major roads or transportation
13 improvements that you know have been built in recent
14 decades without any impacts to a community,
01:10 15 environmental impacts.

16 Life is a balancing act full of compromises.
17 The green alignment addresses all these issues and
18 has the least environmental and community impacts. I
19 respectfully ask the board to certify the
01:10 20 environmental document and select the green
21 alignment.

22 The mayor from City of Laguna Niguel early
23 this morning suggested additional studies. I would
24 say after more than 20 years of studies and
01:10 25 considering all possible alternatives and issues,

1 it's time to build Foothill South to improve traffic
2 congestion and make a real difference in quality of
3 life for residents of Orange County. Thank you.

4 CHAIRMAN RYAN: Thank you, sir.

01:10 5 Eleanor Henry, you're next.

6 And Robert Ming, who I know I called
7 earlier, we have a lot of folks here, I'll let you
8 slide in here. You were to speak earlier and missed
9 that call, so I'll let you sneak back in.

01:11 10 MS. HENRY: Good afternoon. I'm Eleanor Henry,
11 I'm a resident of Laguna Beach. I was one of the
12 first docents in Laguna Wilderness Park. Your
13 spokesperson at the parks commission meeting in San
14 Clemente, last December, was extolling the virtues of
01:11 15 the runoff containment of the San Joaquin Hills Toll
16 Road into Laguna Laurel. That was a complete
17 fallacy, because I was in there before the fire,
18 before the toll road and after.

19 There were trees, huge trees,
01:11 20 hundred-year-old oak trees, absolutely beautiful,
21 fell into the creek. And even in an area where the
22 fire did not reach, the runoff from your containment
23 was highly inadequate. So the destruction of a
24 tranquil campground, not to mention the erosion of
01:11 25 the San Mateo Creek and the eventual demise of the

1 steelhead population cannot be tolerated. Once
2 Trestles is destroyed, it will be years before it
3 returns to a prime surf beach. And my oldest son is
4 55 and he's a surfer until the day he dies. Thank
01:12 5 you.

6 CHAIRMAN RYAN: Thank you, ma'am.

7 Robert Ming.

8 MR. MING: Thank you very much for the
9 opportunity to speak and thank you for the recall. I
01:12 10 apologize for missing the last one.

11 CHAIRMAN RYAN: I'm cutting you down to one
12 minute though.

13 MR. MING: I'll be quick. I'm speaking today
14 because we have a problem and you've noticed the
01:12 15 problem already. I think the problem is people have
16 found out that we live in a great place and they're
17 coming, and they're going to keep coming. And if
18 they keep coming, we have to adapt. And that is what
19 this is, this is our adaptation. This is our effort
01:12 20 to keep the quality of life that we have now. And if
21 we don't act, we will lose the quality of life we
22 have. And so I appreciate the fact that they're
23 coming, and then the only thing left to consider is
24 where to put it.

01:13 25 I suggest that thousands of pages of

1 research and multidisciplinary federal, state and
2 county organizations and thousands of hours of staff
3 time has resulted in the best possible route. I
4 think that's what we have now.

01:13 5 I think that it's time to put down the
6 pencils and pick up the shovels and start building
7 what we must build, because if we don't, we will lose
8 what we have right now. So I encourage you to move
9 forward with what you have and I thank you for your
01:13 10 efforts already.

11 CHAIRMAN RYAN: Thank you, sir.

12 Eban Sprague. Did I get that right?

13 MR. SPRAGUE: Eban Sprague. I'm a lifetime
14 resident of Orange County. I started off life on a
01:13 15 little farm in Tustin. We sold the house and the
16 farm in Tustin, and the tract houses started coming
17 from Norwalk and it was like the blob. And then we
18 bought a house in Newport. And after being there a
19 number years, John Wayne Airport, we have the jets
01:14 20 coming over the top of us.

21 I've lived in Dana Point now for 30 years,
22 it's a surf culture, beach culture. And I'm against
23 this road because I see it as overdensification of
24 our society. It supports more and more houses, it
01:14 25 destroys the habitat.

1 Recently I just took a trip to Switzerland.
2 Now, the Swiss, they're a very old society and many
3 of the houses are 5- and 600 years old. And I
4 believe since Roman times, almost 2,000 years, the
01:14 5 roads and the cities -- the cities and the farms
6 don't destroy each other. They densify the city, but
7 they don't go out and destroy the fields. And so you
8 can go two minutes out of any city and you see
9 farmers everywhere and it all works. It's healthy.

01:15 10 The eggs are -- the shells in the eggs are
11 thick, the cheese and the meat are really delicious,
12 the people are happy, and they don't have this
13 overdensification of destroying everything.

14 So I encourage you, please don't support
01:15 15 this overdensification and the destruction of a
16 culture that loves the beach. We just want to go to
17 the beach, take our kids, have a great day and come
18 back and know that they're not going to be getting
19 cancer. And you have an opportunity here to maybe
01:15 20 support our smart growth. So thank you very much.

21 CHAIRMAN RYAN: Thank you, sir.

22 Mike Crawford.

23 MR. CRAWFORD: Thank you, Chairman, and members
24 of the board for my opportunity to speak. My name's
01:15 25 Mike Crawford. I am strongly in support of the toll

1 road for a variety of reasons.

2 One is as a business owner with offices in
3 Oceanside and North Orange County, the traffic flow
4 through those areas is critical to the success of my
01:16 5 business, and the ability of my employees to go to
6 work and be able to drive there in a reasonable
7 amount of time.

8 Secondly, as a South County resident, I live
9 in Laguna Niguel, I understand the quality of life,
01:16 10 and that's the reason we all live here, because it is
11 a great place to live. It's a great place to live
12 for a lot of reasons. We have great natural
13 resources in the area. We have reasonable traffic,
14 and I think it's important for all of us to be able
01:16 15 to maintain those.

16 This road continues to maintain that quality
17 of life without giving up the environmental things we
18 have. I do understand the construction business.
19 I'm involved in a couple of organizations. The
01:17 20 Construction Industry for Water Quality and the
21 Construction Industry Air Quality Coalition. So I
22 understand how construction done properly will
23 maintain the environment and be able to meet our
24 needs.

01:17 25 I've looked at the documents for this road.

1 I'm very well acquainted with the methods being used
2 to protect the environment and our beaches,
3 specifically Trestles, because I am a surfer and I
4 would not want that damaged in any way, but I do
01:17 5 understand that -- that the measures being taken are
6 above and beyond the normal recommendations for
7 construction projects. There is extra care being
8 taken here and I do know that and I appreciate it,
9 and that's why this road is a good road to have.

01:17 10 Thank you.

11 CHAIRMAN RYAN: Thank you, sir.

12 Nancy Hunt.

13 MS. HUNT: Mr. Chairman and members of the
14 board, I thank you for the opportunity for everyone
01:18 15 to express their views. That's what America is made
16 of. And I am on the board of directors for the
17 Orange County Association of Realtors, and our board
18 has voted to support of the continuation of 241.
19 We're all in favor of it. And I as a resident of San
01:18 20 Clemente for the last 30 years, 28 of the 30 years
21 I've lived there I've watched the city grow. I sat
22 over a decade and a half with Congressman Ron
23 Packard, who showed me the master plan with building
24 more houses in the hills of San Clemente with the
01:18 25 road in back. It didn't seem to be a problem. I

1 kept watching for this road and I'm still watching.

2 I've camped in every campsite along in that
3 area. The most fun we had as a family was 250 feet
4 from I-5, and that was okay with us. And in San
01:19 5 Clemente we use the I-5 as a road to get around town
6 in.

7 It's very difficult to go from the south end
8 to the north end without getting on I-5, so that's
9 like our local road. And sometimes it's very, very
01:19 10 difficult to be able to use I-5 because the traffic
11 is always stopped between Pico and Estrella, and that
12 needs to change. And I value the quality of life,
13 that's why I live there. And if we can get the
14 continuation of the 241, the quality will be even
01:19 15 better. Thank you the opportunity to express my
16 views.

17 CHAIRMAN RYAN: Thank you.

18 Nancy Nolan. Okay. That'll be included in
19 the record.

01:20 20 Sue Wallman.

21 MS. WALLMAN: Good afternoon, Chairman, and
22 board members. I live in San Clemente. In fact, I
23 live in the very south end of San Clemente. My
24 property line in back of my house is right on the
01:20 25 Orange County/San Diego border. I'll be able to look

1 down and see the green option between San Mateo
2 campground and myself, and I say let's build that
3 road as soon as possible.

4 My quality of life is going to be -- is
01:20 5 going to be impacted much more by the traffic that
6 we're suffering down there than by looking out and
7 seeing a road. We need the traffic alleviation now,
8 and we're certainly going to need it by the time the
9 road's able to be built.

01:21 10 Several speakers have suggested that we step
11 a couple steps back and tweak the plan this way or
12 that way or re-examine any number of things for their
13 special interests. I think we've been working on
14 this 30 years and we should get it built now. So I'm
01:21 15 in favor of the project.

16 CHAIRMAN RYAN: Thank you, ma'am.

17 The next speaker is Allan Beek.

18 MR. BEEK: Good afternoon. I speak to the
19 rather narrow topic of mitigation. Your documents
01:21 20 speak of mitigating for this project, but the project
21 itself walks on the mitigation of earlier projects.

22 The TCA giveth and the TCA taketh away.
23 There are only four alternatives. You can either
24 revise the project so it does not interfere with any
01:21 25 earlier mitigation. Your second choice is to make it

1 part of the project to revoke the approval of those
2 earlier projects. Your third choice is to take all
3 references to mitigation out of your documents so
4 that it becomes internally consistent, or your fourth
01:22 5 choice is to leave it as it is, contradictory.

6 I hope that you are sympathetic to speakers
7 who stick to one topic and take less than one minute.

8 CHAIRMAN RYAN: The next speaker is Karen
9 Phelps, please.

01:22 10 MS. PHELPS: Hello. I didn't think I was going
11 to be able to do this. I was at another place and I
12 just got back and you called my name.

13 CHAIRMAN RYAN: Well, how lucky that is.

14 MS. PHELPS: I live in Dana Point along the
01:22 15 beach. As I look out this year more than most years,
16 there's a thick, dark smog line which blows from
17 inland on Santa Ana days. It hangs heavy. In it
18 hangs heavy toxic metals, a particulate from cars,
19 mostly, that will drop into the ocean. I don't know
01:23 20 how much the ocean can stand of this, but it doesn't
21 take a crystal ball to figure out that it isn't very
22 healthy for the animals in it or for those who eat
23 them. North of me to Newport, the line is thicker
24 and darker, and south of me to San Clemente.

01:23 25 Where there's less inland population now,

1 this group comes along and wants to take out the last
2 clean-flowing creek into this ocean, San Mateo, and
3 put a freeway with more cars over it. The Indian
4 said to plan for the next seven generations. In
01:23 5 other words, long-term planning will help avoid
6 mistakes, not parochial thinking.

7 I think the toll road is a big mistake. In
8 the long term, it only serves short-term interests.
9 I hope we are farsighted enough to do the right thing
01:24 10 and find another mode of transportation to assist the
11 I-5. We can have development and we can have
12 environment.

13 Right now, development has overwhelmed
14 environment. I don't think pavement -- more pavement
01:24 15 and more pavement is any solution to our problems.
16 Thank you for your ears.

17 CHAIRMAN RYAN: Thank you, ma'am.

18 The next speaker -- I know it's hard to
19 resist, but, please, no cheering and that kind of
01:24 20 thing today.

21 The next speaker is Paul Whitelock, and
22 after Paul is Patricia Bates, Tristian Krogius,
23 Richard Metcalf, Guinevare Breeding, Elizabeth Lambe,
24 William Kelley, Larry Percoe, Lee Vanderlinden, James
01:25 25 Birkelund, Jeff Walker and Bill Stracker.

1 MR. WHITELOCK: Thank you for the opportunity to
2 speak, Mr. Chairman and board. My name is Paul
3 Whitelock, and I speak as an independent citizen,
4 40-year resident of Laguna Niguel, California.

01:25 5 I travel between Laguna, Tustin, Riverside,
6 Oceanside on a regular basis. My use of the 73, 133,
7 and 241 Toll Roads has saved me time as well as given
8 me peace of mind on the job, not to mention the
9 traffic it's taken off of the 5, the 405, the 55 and
01:25 10 91 Freeways.

11 In looking at the issue to south of San
12 Clemente, I have looked at it from both the traffic
13 congestion and environmental point of view. I am an
14 avid outdoorsman and value our wild spaces. And in
01:26 15 my investigation of the various points in this
16 conflict, I feel that TCA has gone out of their way
17 to mitigate the concerns of the environmental
18 advocates with up-to-date construction methods and
19 realignment around sensitive wildlife areas.

01:26 20 I feel that any objection to the extension
21 of the 241 at this point is based on hard-core
22 emotionalism and not rationalism. I urge you to
23 complete the 241 as planned. Thank you for your time
24 and efforts on this project.

01:26 25 CHAIRMAN RYAN: Thank you, sir.

1 Patricia Bates.

2 MS. BATES: Good afternoon, Chairman Ryan and
3 board members. I am Pat Bates. I think many of you
4 probably remember me from my service as a
01:27 5 representative of TCA for the City of Laguna Niguel
6 and probably a few other things I've done in the last
7 couple years.

8 I'm here today to speak in support for the
9 staff recommendation to select the green alternative
01:27 10 as the preferred alternative for the completion of
11 Foothill South. The comprehensive and in-depth
12 studies and analysis supporting this alternative
13 certainly deserve recognition for their sensitivity
14 to public concerns expressed over the many years this
01:27 15 extension has been under consideration.

16 If my memory serves me, earlier proposals
17 under discussion during my years of service would
18 have reduced campsites, thus reducing public access
19 to the campground and beach. This has been addressed
01:27 20 and corrected.

21 Additionally, impacts from previous water
22 runoff management system proposals, as I remember,
23 were significantly less environmentally and
24 esthetically sensitive to the surrounding areas than
01:28 25 the current catch basin designs that are designed to

1 improve water quality. And that is certainly a
2 significant issue, not only to those of us here in
3 South Orange County, but to thousands of Californians
4 across the state that come to the San Clemente State
01:28 5 Beach.

6 I would hope that during the design/build
7 phase that engineering that goes forward might
8 address the additional concerns that surround that
9 particular part of this project, because it seems to
01:28 10 be that's where the focus is at the moment.

11 On the subject of the other alternatives, no
12 build, of course, I believe is unacceptable. I'm
13 sure you all agree. The traffic growth counts and
14 the steady growth in the area which would guarantee a
01:28 15 91 type of gridlock here in South Orange County by
16 2025 is the stinging reminder that without this road
17 our quality of life, which is really dependent on
18 access in and out of our communities for a variety of
19 activities, work, recreation and certainly public
01:29 20 safety, would be significantly diminished and
21 potentially in jeopardy.

22 On the subject of the alternative which
23 calls for the significant loss of homes and
24 businesses, this is certainly a nonstarter. I was
01:29 25 really taken aback when I read this morning in the

1 news that there's a challenge to the studies that
2 indicate 500 homes and businesses would be lost.

3 New numbers that have come from another
4 study suggest only 23. Well, I think we'll all agree
01:29 5 that whether it's 100, a thousand or only 23, an
6 alternative that avoids the taking of just one
7 person's home or business is a significantly more
8 environmentally humane alternative.

9 In conclusion, you have a very difficult
01:29 10 task before you. You've been charged by those who
11 have elected you to make decisions which are in the
12 best interest of the whole. This balancing of
13 negatives with positives, I think you'll all agree,
14 is a vexing problem for any elected official, but the
01:30 15 highest calling to your job is to do just that, not
16 to decide either/or, but to decide where there's
17 balance.

18 I would suggest that Alternative A or the
19 green alternative is not an either/or, but a balance
01:30 20 with the thought that we protect the people and the
21 environment in taking that course. I support you in
22 making this difficult decision, and I really thank
23 all of you guys for the dedication and hard work that
24 I know you have all undertaken at least in the six
01:30 25 years I've been kind of around and the consideration

1 for all of us who live here in South Orange County.
2 I thank you.

3 CHAIRMAN RYAN: Thank you for those comments.
4 Tristian Krogius.

01:30 5 MR. KROGIUS: Mr. Chairman and board members, my
6 name is Tristian Krogius. I'm a resident of Dana
7 Point. My wife and I arrived in Oceanside 50 years
8 ago. There were just the two of us then, there are
9 33 of us now, including 19 grandchildren. And with
01:31 10 these genes, they're going to continue expanding, and
11 like it or not, but that's a fact of life.

12 As you all know, Governor Arnold
13 Schwarzenegger has announced a plan to float some
14 \$220 billion in state bonds to finance updating
01:31 15 California's infrastructure. A substantial portion
16 of this expenditure is targeted for mitigating the
17 future congestion on our highways. Apparently, such
18 a program is enjoying wide support, while I have some
19 misgivings about this.

01:31 20 Mass public funds becomes a mockery if,
21 first, we do not complete the privately financed
22 third leg of the toll roads project. Considering the
23 gridlock California's facing with its growth
24 projections, approval of the toll road is not even a
01:32 25 close call. I therefore urge all of those involved

1 in the process to hasten the approval and
2 implementation of this project. Thank you.

3 CHAIRMAN RYAN: Thank you, sir.

4 Richard Metcalf.

01:32 5 MR. METCALF: Good afternoon. Thank you for
6 your time in this public forum. I'm a citizen of San
7 Clemente, a property owner, a taxpayer. The last
8 time I was here was a year and a half ago when I had
9 the pleasure of bringing you several thousand
01:32 10 signatures to urge you not to consider the Pico
11 option of the toll road. And it seems to me that
12 they have done a wonderful job of mitigating all the
13 various considerations.

14 I talked to them -- talked to the
01:32 15 engineering staff, looked at the renderings from
16 various positions, as I looked at it as a citizen,
17 there is just a great job that's been done. And the
18 arguments against the toll road are really kind of
19 reactionary and bogus. I urge you to go forward with
01:33 20 the toll road on this alignment.

21 I'm also a veteran of commuting to North
22 Orange County for several years, and enjoyed seeing
23 traffic worsen month by month. And I still go there,
24 if not as frequently now, but I look forward to
01:33 25 having alleviation and seeing the congestion stop

1 growing. Thank you very much.

2 CHAIRMAN RYAN: Thank you.

3 Guinevere Breeding, are you here? Okay.

4 Elizabeth Lambe.

01:33 5 MS. LAMBE: Thank you for giving me the
6 opportunity to speak today. Before I talk about my
7 main subject matter, I'd just like to share with you
8 how many folks I know called me and were so
9 distressed to see a hearing on such an important
01:34 10 issue in the middle of the day, in the middle of a
11 workweek, and how difficult it is for the public
12 that's concerned about this road, for working people
13 to come to meetings like this.

14 And an example is my friend Julia Dewese who
01:34 15 was in the same neighborhood as the other lady in the
16 south part of San Clemente, and she's very concerned
17 about this. You may recognize her name because she
18 writes letters to the editor, but she's a teacher and
19 just doesn't feel she can take time off for hearings
01:34 20 like this.

21 However, when there are hearings held when
22 the public can attend in the evenings or on the
23 weekends, I think you see a dramatic increase in
24 public involvement, and I think that's really
01:34 25 important to this process to give it credibility.

1 The main topic that I want to talk about, as
2 someone who has lived in Orange County for 40 years,
3 is this idea that people in Orange County want the
4 toll road. And I've seen some documents and some
01:34 5 press releases that state that coming from the
6 Transportation Corridor Agencies. I don't know
7 anybody that feels that way. And I've only seen so
8 many people -- I've seen so many people voice their
9 concerns.

01:35 10 I asked a pollster to look at your polling
11 to find out how you drew that conclusion, and I have
12 copies of his summary that I would be happy to leave
13 for you, but some of the basic assertions that you
14 may believe are incorrect.

01:35 15 You may believe that 60 percent of residents
16 in Orange County support this toll road because
17 that's what your press statements have said, but it's
18 not true because, first of all, you don't poll
19 residents, you only poll registered voters, and you
01:35 20 don't poll all of Orange County, you only poll
21 certain sections of it.

22 So I would respectfully ask that you not
23 make that assertion until you can do a more broad,
24 balanced survey of what people in Orange County
01:35 25 believe.

1 Another interesting point from your poll
2 that Fairbanks, Mullen & Associates pointed out was
3 the fact that when you provided arguments to
4 residents, provided nine that would let the
01:36 5 recipient -- you know, the pro toll road direction,
6 and only four that were really from the point of view
7 from my friends and neighbors. And as the Sierra
8 Club, I would respectfully ask that you do further
9 surveys that have more balance in them.

01:36 10 And, finally, some of your own board members
11 have noticed, even despite the imbalance in your
12 polling, at the end of the day the response to the
13 opposition to the toll road grows. Ranging from 4
14 percent to 30 percent, I could look, depending on
01:36 15 what part of Orange County I'm in.

16 What you have before you is a project that
17 evidently is not supported by the majority of people
18 in Orange County. And if you look at the folks that
19 turn out at hearings they can attend to, there's a
01:36 20 great deal of concern.

21 So I would ask that you not certify the EIR
22 and look for a better alternative for South Orange
23 County and for Orange County. Thank you for your
24 time. Who do I give the survey to?

01:37 25 CHAIRMAN RYAN: The clerk in the green blouse.

1 Thank you.

2 William Kelley.

3 For the record, this board directed our
4 staff to do extensive outreach, recognizing it's the
01:37 5 morning, the evenings, we've done all of that. We've
6 done evenings, we've done mornings, we've done
7 daytimes. And that was directed by the board to make
8 sure that we offered full opportunity for folks to
9 provide input as part of this process.

01:37 10 Good afternoon, sir.

11 MR. KELLEY: Mr. Chairman, members of the board,
12 my name is William Kelley. And in addition to being
13 a resident of South Orange County, I'm an attorney in
14 private practice in Irvine and I am vice chair of
01:37 15 Governmental Affairs for the Irvine Chamber of
16 Commerce. And I considered that this issue is so
17 important that I took time off from work to attend
18 this hearing.

19 I present my comments today on behalf of the
01:37 20 Irvine Chamber of Commerce. To begin with, I'd like
21 to state that the Irvine Chamber of Commerce fully
22 and unreservedly supports completion of the 241 Toll
23 Road, and to that end strongly urges this board to
24 adopt today the two proposed resolutions, certifying
01:38 25 the Environmental Impact Report and select the

1 staff-recommended preferred alternative, connecting
2 the 241 with Interstate 5.

3 Let me offer briefly for your consideration
4 three points from the particular perspective of the
01:38 5 Irvine Chamber.

6 First, the Irvine Chamber is one of the
7 largest chambers of commerce in Southern California,
8 with nearly 1,000 members, representing approximately
9 60,000 employees. And it makes sense that our
01:38 10 chamber is so large because Irvine is one of the most
11 job-rich cities in the nation.

12 Irvine businesses provide close to 200,000
13 jobs, and most of those jobs are held by people who
14 live elsewhere, including many who live in South
01:38 15 County. People have to be able to get to and from
16 work easily. Goods must be moved efficiently.

17 Accordingly, a well-functioning,
18 high-capacity transportation network is key to a
19 thriving economy in Irvine and, indeed, all of Orange
01:38 20 County. For these reasons the Irvine Chamber was an
21 early supporter of the existing toll roads, which
22 bring commuters and goods to and from Irvine.

23 For the county's transportation network to
24 keep pace with the increasing population and to allow
01:39 25 continued job growth, the toll road system must now

1 be completed, and that means linking the 241 and the
2 I-5.

3 Second, the Irvine Chamber of Commerce is an
4 unusually diverse mix of businesses and members,
01:39 5 reflecting the fact that Irvine is headquarters to
6 many large corporations. Irvine chamber members
7 include companies that are world leaders in such
8 industries as automotive, computer and medical
9 technologies, as well as businesses more typical of
01:39 10 traditional chambers of commerce; namely, medium and
11 small-size enterprises and family-owned businesses.

12 Our determination is that completion the 241
13 Toll Road will benefit all branches of our members,
14 small, medium and large businesses. Left
01:39 15 uncompleted, the worsening traffic congestion will
16 cause all our businesses to suffer and the result
17 will be loss of jobs.

18 My third and final point is that the Irvine
19 Chamber of Commerce views partnerships between public
01:40 20 and private entities as the most cost-effective and
21 timely way in building the state's infrastructure.
22 The Orange County toll roads are a great example of
23 what can be accomplished when the public and private
24 sector work together with foresight, vision and
01:40 25 creativity.

1 The Foothill South alternative recommended
2 by the board's staff has all the hallmarks of careful
3 planning with due consideration of cost, safety and
4 environmental factors and will be a fitting
01:40 5 compliment to the current system.

6 And I would just ask permission to submit
7 for the record a resolution by the board of directors
8 of the Irvine Chamber of Commerce supporting
9 completion of the Foothill South.

01:40 10 CHAIRMAN RYAN: Thank you. Give that to our
11 clerk.

12 Larry Percoe.

13 MR. PERCOE: Thank you, Mr. Chairman, board
14 members. My name is Larry Percoe and I'm an 18-year
01:41 15 resident of Orange County. I live currently in the
16 city of Mission Viejo. I'm a constant user of the
17 freeway system as well as the existing Orange County
18 toll roads. I support development of the Southern
19 California highways to provide the quality that drew
01:41 20 me here and keeps me here.

21 In my 18 years, although short relative to
22 some, I've seen a lot of change in the region in
23 terms of population and traffic growth, and have come
24 to understand, though, that -- and accept that the
01:41 25 forces that brought me here are still here and

1 they're bringing many, many more people in. This
2 growth is not stoppable. The need for mobility is
3 not stoppable. Therefore, we need to keep up.

4 I love the willedness, clean water, clear
01:42 5 skies and quiet as much or more than most people, I
6 think. I have observed and I've assisted on
7 development of existing Orange County toll roads, and
8 feel that based on the observations I've made over
9 the last 15 years, that the process has always been
01:42 10 well executed, it's environmentally sensitive and
11 sound.

12 I'm comfortable with the proposal of the
13 Foothill South Toll Road and that this proposed road,
14 when built, will not be something that will be
01:42 15 adverse to my love of this area.

16 So I support the construction of the green
17 alignment of Foothill South and I'd like to see it
18 built now. Thank you.

19 CHAIRMAN RYAN: Thank you.

01:42 20 Lee Vanderlinden.

21 MR. VANDERLINDEN: Thank you, Mr. Chairman Ryan
22 and honorable board members. My name's Lee
23 Vanderlinden and I've been traveling through the
24 Orange County area for more than 25 years and have
01:43 25 worked here the entire time too. I enjoy the open

1 spaces and the campgrounds and the community that we
2 have here in Orange County.

3 The proposed Foothill South Toll Road has
4 been in the planning and development stages since
01:43 5 1991, when it was certified and, luckily, the
6 preferred alternative was selected. We're 15 years
7 later and still standing in the same place again.
8 Here we are faced with a major decision to move
9 forward. This time I think the stakes are a lot
01:43 10 higher and our future of ourselves and our children
11 are at stake here.

12 The TCA and the collaborative have concluded
13 that there's a need for this project. They found a
14 purpose for the project, and that there's an
01:44 15 alternative that meets all these goals of moving
16 traffic around and relieving congestion, and they've
17 done this while having an eye to being
18 environmentally responsible.

19 The claims of the opposition I think are
01:44 20 just simply not true, that the toll road will
21 eliminate the precious open space of the California
22 coastline, that it impacts the world-famous Trestles
23 Beach, that it forces the closure of San Mateo
24 campgrounds and obliterates public trails to the
01:44 25 beaches. But what we do know is TCA has done an

1 outstanding job of balancing these environmental
2 issues and the need to improve the mobility within
3 this county.

01:45 4 What we've done is -- what the studies have
5 done, show that they maintain the beach access, even
6 during the construction periods at times. The water
7 quality at Trestles Beach will be improved through
8 the utilization of treatment methods for rainwater.
9 That means that we're going to have oils cleaned up,
01:45 10 carbon deposits that are on the roads, asbestos from
11 brake dusts and chemical spills and others picked up.
12 And these are all things that are harming surfers
13 right now coming off the I-5.

14 TCA has also preserved more than 2,000 acres
01:45 15 of the native habitat and that's all done with the
16 sense that no homes and no businesses are going to be
17 taken. So what I think TCA and the collaborative
18 have done is documented a plan that provides a very
19 fiduciary responsible plan for the entire community,
01:45 20 and that is the green alignment.

21 So the board and Chairman Ryan, I urge you
22 to be strong and go back to where we were in 1991 and
23 approve the green alignment. I say build it. Thank
24 you.

01:46 25 CHAIRMAN RYAN: Thank you, sir.

1 Our next speaker is James Birkelund, and
2 we've got a couple more that I mentioned. We'll go
3 into the next ten again. I'll remind you all, we're
4 starting to hear both in favor and in opposition with
01:46 5 the issues today. If you feel like someone else has
6 said what you feel, you can echo that, and I've got
7 little M&Ms up here that I'll give out.

8 The next ten after the two that are lined up
9 are Celia Krutcher, the Orange County Chapter of the
01:46 10 California Native Plants Society, Ed Schlegel, Mike
11 Sweeney, Molly Mill, Ron Miller, Steve Netherby, Brad
12 Timmons, David Hahn, Kirk Lapell and Ben Blount will
13 be up soon.

14 Okay, Mr. Birkelund.

01:47 15 MR. BIRKELUND: Good afternoon, Chairman, and
16 board members. My name is James Birkelund and I'm a
17 staff attorney at the Natural Resources Defense
18 Council. Thank you for giving me the opportunity to
19 speak here today.

01:47 20 Initially I was going to talk about the
21 legal deficiencies with the final environmental
22 documentation, but we've covered those extensively
23 with our written comments. Those written comments
24 include a letter from Chief Maholly (phonetic) and
01:47 25 two volumes of attachments.

1 The only other legal issue that I'll mention
2 very briefly is that the toll road's impact to the
3 Ranch Plan in Orange County have yet to be adequately
4 analyzed, especially with respect to preserved open
01:47 5 space under that Ranch Plan.

6 For the remainder of my time, instead of
7 debating legal issues, what I'd like to do is make
8 sure that the board understands why NRDC is adamantly
9 committed to opposing this toll road's alignment
01:47 10 through San Onofre State Beach.

11 Our members believe that our state parks are
12 at the core of our economic and environmental
13 well-being here in California. Few can disagree that
14 parks are one of the things that make this a great
01:48 15 state to live in. We recognize the need to address
16 traffic congestion wherever it occurs, but we do not
17 believe that we can afford to sacrifice our state
18 parklands for highway construction.

19 We do believe, however, that there is common
01:48 20 ground that can be found, and we've devoted
21 considerable resources and research to finding this
22 common ground and common solution, and we're prepared
23 to continue doing so to avoid having a toll road
24 destroy a state park.

01:48 25 We are prepared to work with the TCA to

1 pursue an alternative because we don't relish the
2 prospect of years of litigation and conflict,
3 especially when there are alternative possibilities
4 that exist for better solution.

01:48 5 In today's world, a world that is vastly
6 different than the one back in 1981 when the Foothill
7 South Toll Road was initially proposed, we have the
8 technical ability and could find the vision to both
9 solve our traffic problems and to preserve our
01:49 10 valuable resources.

11 So on behalf of NRDC and all of our members,
12 we urge you to consider what you heard here today and
13 to defer a decision on the proposed toll road until
14 you've had an opportunity to thoroughly consider
01:49 15 potential alternative traffic solutions that are
16 viable and have fewer impacts, including expanding
17 the I-5 and other options. Thank you.

18 CHAIRMAN RYAN: Thank you, sir.

19 Jeff Walker.

01:49 20 MR. WALKER: Members of the board, thank you for
21 giving me the opportunity to speak. My name is Jeff
22 Walker. I'm a 15-year resident of Orange County and
23 I've lived the last ten years in Foothill Ranch,
24 right on the 241 corridor. Between my job and
01:49 25 extended family out in Inland Empire, I use the toll

1 roads daily, the existing toll road system. And I
2 estimate over an average week it saves me three to
3 three and a half hours. That time is spent being a
4 better employee, more productive employee, and a
01:50 5 better father, being able to spend more time at home
6 with my family.

7 So as a businessman here in Orange County
8 and as a father, I urge you to move forward and
9 approve the EIR document and move forward with the
01:50 10 green alignment. Thank you.

11 CHAIRMAN RYAN: Thank you, sir.

12 Bill Stracker.

13 MR. STRACKER: Good afternoon, Mr. Chairman. I
14 wore my green tie today.

01:50 15 CHAIRMAN RYAN: It's sort of green.

16 MR. STRACKER: It's the greenest I have. My
17 name is Bill Stracker and I'm a native Californian
18 and moved to Orange County in 1964, so I've been
19 around these parts quite a while. I've got to put on
01:51 20 my glasses here to read some of these things I've got
21 here, but my amount of comments have been reduced
22 significantly because of the amount of comments that
23 are so supportive from other people.

24 I live in the city of Irvine. I use the
01:51 25 toll roads all the time. I'm also the past president

1 for the San Diego Chapter of the American Public
2 Works Association, and also a past president of the
3 Orange County branch of the American Society of Civil
4 Engineers. So you can see that I do a lot of
01:51 5 commuting back and forth from San Diego to here over
6 the years. I'm also on the board of directors for
7 the South Orange County Regional Chamber of Commerce.

8 So I see this road as not only a good
9 transportation corridor, but also a corridor that
01:51 10 will help to save the businesses in Orange County.
11 I've done a lot of work with cities in South County.
12 I see a lot of the traffic impacts that have
13 developed because of some of the development that
14 we've seen. And I see this corridor as -- I'm
01:52 15 amazed, really, at the significant amount of
16 reduction in congestion and the assistance that that
17 corridor is going to do to the arterials within South
18 County.

19 But I also notice that the Corps of
01:52 20 Engineers, which is an excellent federal agency, has
21 indicated that this is the least environmental
22 damaging, practical alternative, and that they
23 recommended going ahead with it -- at least they say
24 that it's the least damaging. Having been involved
01:52 25 with the Corps of Engineers, that is really something

1 for them to say.

2 So basically what I've got to say is this is
3 not about the Trestles, this is really not about the
4 parks. I do feel myself as being
01:52 5 an environmentalist -- I'm a registered civil and
6 traffic engineer -- but that any impacts on those
7 areas can be mitigated.

8 What I see this as is a quality of life
9 issue, I see this as a quality of life for residents,
01:53 10 I see this as a quality of life for the visitors
11 coming to Orange County, and I see this as a quality
12 of life for businesses within Orange County.

13 CHAIRMAN RYAN: Thank you.

14 Celia Krutcher.

01:53 15 MS. KRUTCHER: Good afternoon, board. I'm Celia
16 Krutcher. I am representing the Orange County
17 Chapter of the Native Plants Society, and our chapter
18 opposes the preferred alternative and asks you to not
19 certify the EIR for several reasons.

01:53 20 One, state -- the California Native Plant
21 Society at the state level has a policy against using
22 transplantation as mitigation. In this case there
23 would be transplanting of the red leaf brodia, which
24 is an endangered species.

01:53 25 Secondly, the EIR calls for mitigation to be

1 called out on 1,182 acres in upper Chiquita Canyon
2 conservation easement, and 250 acres to be determined
3 on the Rancho Mission Viejo land. This seems like a
4 small amount of area for all the mitigation that
01:54 5 would be required.

6 Three, only -- the mitigation rate called
7 for is only 1 to 1. CNPS finds this inadequate.
8 Mitigation should be done at a rate of 2 to 1 or 3 to
9 1, depending on the plant.

01:54 10 Fourthly, the San Mateo watershed is the
11 last wild river in Southern California, as such it is
12 absolutely priceless. It is irreplaceable. It is
13 unthinkable to put a toll road which will serve a
14 rather small number of people in one part of it.

01:54 15 Fifthly, the Donna O'Neil Land Conservancy
16 was detailed by Mike Evans earlier. We second his
17 statements, it also is too good to lose. Thank you.

18 CHAIRMAN RYAN: Thank you, ma'am.

19 Ed Schlegel.

01:55 20 MR. SCHLEGEL: Good afternoon. I'm Ed Schlegel
21 from Capital Beach. I represent the South Orange
22 County Chapter of the Surfrider Foundation.

23 Our chapter is against the proposed toll
24 road alignment that will impact a state park, state
01:55 25 park campground, state park hiking trails, sacred

1 Native American archeological sites, a wetlands
2 preserve and Trestles Beach.

3 We echo the comments and objections of our
4 parent organization Surfrider Foundation, NRDC,
01:55 5 Endangered Habitat League, Audubon Society, Trout
6 Unlimited, the Sierra Club, and other organizations
7 that also perceive this as not the proper location to
8 build a six-lane highway.

9 The agency, the county, the state should
01:55 10 consider other alternatives that provide traffic
11 relief that solves South Orange County traffic
12 problems without destroying recreational and cultural
13 resources. Thank you.

14 CHAIRMAN RYAN: Thank you.

01:56 15 Mike Sweeney.

16 MR. SWEENEY: I think we all agree that traffic
17 sucks in Orange County and something's got to be done
18 eventually. I've been in a Laguna Beach resident for
19 45 years and I had a business making fitness
01:56 20 equipment that I sold after ten years, a fast-growth
21 business. So that's one reason I'm able to come here
22 today.

23 I've enjoyed Trestles for over 40 years.
24 And that environment -- I used to have to run away
01:56 25 from the Marines. That was a long time ago, but it

1 was kept very private then, which was nice in a lot
2 of ways. I certainly don't want Trestles or San
3 Mateo area to be diminished in any way. That's one
4 reason why I'm recommending you guys don't approve
01:56 5 the EIR.

6 In planning, it doesn't really matter if
7 you've had something in the plan for 20, 30 years.
8 It might have been good then, but it might be bad
9 now. So, really, the seniority of a plan has no --
01:57 10 really doesn't make any difference. And stacking the
11 deck, it seems like there's a lot of TCA former
12 people talking here. I kind of find that a little
13 odd, to myself anyway.

14 Costs, so what's San Onofre Trestles worth?
01:57 15 You know, what's it worth now and what's it going to
16 be worth 50 or 100 years from now? We put a ton of
17 resources into our road infrastructure right now. I
18 think we do that more than anyplace in the world,
19 Southern California in particular. We're the car
01:57 20 capital of the world too.

21 We're going to have to put more in there
22 until we come up with something a little bit better
23 or some alternatives like public transportation. If
24 we did a little bit more in that regard, we could
01:58 25 help mitigate some of the traffic issues, not all,

1 but some. So I'd encourage you to look in that area
2 too, not just, you know, pump out more roads.

3 You know, our dependence on foreign oil is
4 also an issue, so more public transportation and less
01:58 5 dependence on that and fewer wars are too. Money, is
6 it responsible to turn out another road that may not
7 pay for itself over the long term? Taxpayers may
8 have to bail it out, and a lot of those taxpayers
9 won't be using toll roads either.

01:58 10 So down the road -- one thing that occurred
11 to me is where the proposed extension meets the 5,
12 won't traffic just kind of back up there? So we've
13 just pushed the problem further down the road. So
14 I'm saying, please, reject the FEIR and investigate
01:58 15 the most sensible alternative, which might cost more
16 in dollars, but when you look over all with the
17 environmental impacts, it may be cheaper. So I'd say
18 widen -- it looks like widening the 5 long term would
19 be the best way to go for me. Thank you.

01:59 20 CHAIRMAN RYAN: Thank you, Mr. Sweeney.

21 Molly Mill? Not present.

22 Okay, Ron Miller.

23 MR. MILLER: Good afternoon. I would just like
24 to echo the comments that were made earlier, I'd like
01:59 25 some M&Ms.

1 CHAIRMAN RYAN: We've got them here.

2 MR. MILLER: On a personal note, I commute two
3 hours a day on Orange County roads and it's a hassle,
4 and I'm away from my family and that needs to be
01:59 5 improved. On top of that, I also take in many
6 students, over hundreds of students, now, in those
7 campgrounds and I will intend to continue to do that
8 even if this road is put in. So I would ask that you
9 approve this road.

02:00 10 CHAIRMAN RYAN: Thank you.

11 Steve Netherby.

12 MR. NETHERBY: Steve Netherby, San Clemente. I
13 notice we have Thor up here by the nametag. I want
14 you on my side. Voting members of the TCA, I don't
02:00 15 envy you the position you find yourselves in today,
16 under pressure to vote yes for something that you
17 must suspect in your heart of hearts is wrong for
18 Orange County.

19 I don't envy you being paid. To me, a third
02:00 20 conflict of interest for those of you who hold
21 elected office. To advocate a process -- a project
22 that thousands of your neighbors and constituents
23 have rallied passionately against for years. And if
24 the failure of the 73 is proven, stands a great
02:00 25 chance to end up a financial disaster. I don't envy

1 you.

2 If you vote yes, history will remember you
3 as one of those who voted to worsen traffic on I-5.
4 To facilitate massive overdevelopment in an area that
02:01 5 already exceeds its carrying capacity relative to
6 power and water; destroying habitat for innumerable
7 animals, from herds of blacktail deer to covies of
8 California quail, including species on the brink of
9 extinction; destroy the fifth -- the fifth most
02:01 10 popular state park in California, revered by families
11 from all over the world; destroys Trestles, the
12 Yosemite of surfing, and eliminate the millions of
13 tourist and enthusiast dollars each year that enter
14 our county because of those two attractions; cost
02:01 15 federal, state and county taxpayers, most of whom
16 will never see this unnecessary road, millions of
17 dollars; degrade the quality of life for all future
18 residents and visitors to Orange County; destroy one
19 of the last remnants of what Southern California used
02:01 20 to be; desecrate sacred Native American tribal
21 grounds; destroy the Donna O'Neil Land Conservancy,
22 which provides a priceless environmental education to
23 thousands of Orange County children and adults every
24 year; pollute the last remaining clean beaches in
02:02 25 Orange County; cause years of construction noise,

1 visual pollution and environmental upheaval for your
2 neighborhoods.

3 I don't envy you but I implore you to do
4 what you know in your heart of hearts is right for
02:02 5 Orange County, vote no. Let history remember you as
6 one who stood tall and acted with courage to save the
7 wild heart of Orange County.

8 CHAIRMAN RYAN: Thank you.

9 Our next speaker is Brad Timmons.

02:02 10 MR. TIMMONS: Good afternoon, Chairman,
11 directors. My name is Brad Timmons and I'm a 14-year
12 resident of Rancho Santa Margarita and I'm here on
13 behalf of the completion of the 241.

14 I am -- currently my office is in Santa Ana.
02:02 15 From Rancho Santa Margarita to Santa Ana from the 241
16 takes me an hour a day. I have a two-year-old at
17 home that I get to spend that extra hour with. I
18 think the completion of this is needed and needs to
19 go on. Thank you.

02:03 20 CHAIRMAN RYAN: Thank you.

21 David Hahn. Okay. Kirk Lapell. Going once
22 going twice. We'll get it down in the record. Ben
23 Blount. Ben, are you here? Okay.

24 The next speakers that we will have is Al
02:03 25 Williams -- here's the next ten. Al Williams, Traci

1 Gleason, Estee Huff, Pete Van Nuys, Tong Lee, Kevin
2 Habodian and William Stags.

3 Al Williams, are you here?

4 MR. WILLIAMS: I'm here.

02:03 5 CHAIRMAN RYAN: All right.

6 MR. WILLIAMS: Thank you. Chairman Ryan and
7 members of the board, it's nice to see you. My name
8 is Al Williams and I'm a 22-year resident of Orange
9 County. The last ten years have been in South Orange
02:04 10 County in the Portola Hills area. I'm a local
11 realtor for ERA Fine Homes, located on Mission Viejo
12 Way. I'm also the president of Laguna Hills/Laguna
13 Woods Chamber of Commerce.

14 I am here today to lend my support and to
02:04 15 strongly urge you to certify the EIR and to vote in
16 favor of the green alignment to complete Foothill
17 South. I believe this alignment to be the best
18 solution to relieve traffic and that it is designed
19 to avoid sensitive wetlands and habitat areas.

02:04 20 This road system has been on the master
21 arterial highway plan for 25 years. More growth is
22 coming and the Ranch Plan has been approved and is
23 going forward. Therefore, from a public policy
24 standpoint, planning for the inevitable by completing
02:05 25 the toll road system would be the most responsible

1 thing to do. Thank you.

2 CHAIRMAN RYAN: Thank you, sir.

3 Traci Gleason. Estee Huff. Pete Van Nuys.
4 Tong Lee. Kevin Habodian. William Stags.

02:05 5 Richard Campbell -- here's the next ten.

6 Richard Campbell, Mike Phillips, George Sutherland,
7 Bill Holmes, Jerry Lehman, Catherine Higley,
8 Charlotte Mazarit and Paul Arms.

9 Might one of you be Richard Campbell? Mike
02:06 10 Phillips. George Sutherland.

11 Bill Holmes, there we go.

12 All those people who didn't show up get an
13 M&M.

14 Thank you, sir.

02:06 15 MR. HOLMES: Good afternoon. My name is Bill
16 Holmes and I'm a resident in Dana Point for the last
17 20 years and I'm a member of the Sierra Club. The
18 purpose of the SOCTIIP study is not to determine
19 which route the toll road should follow, but what is
02:06 20 the best solution to relieve traffic congestion in
21 South Orange County, specifically along the I-5
22 corridor.

23 Caltrans, the OCTA, and even Governor
24 Schwarzenegger have all recommended and approved the
02:06 25 I-5 through South Orange County through funding from

1 Measure M and other bonds issues. The SOCTIIP EIR
2 shows improvements to the I-5 and local arterial
3 roads to be the best alternative to relieve traffic
4 congestion, but was dismissed by the TCA as being too
02:07 5 expensive.

6 Yet, the Smart Mobility study which was
7 prepared by independent traffic analysis, and I
8 believe each of you got a copy of that, shows clearly
9 that the I-5 and arterial improvement alternative
02:07 10 could be done at a much lower cost and relocation
11 impact than the scenario presented by the TCA.

12 The TCA, of course, was set up to build toll
13 roads and its alternative evaluation reflects that
14 bias. The EIR study shows that the toll road by
02:07 15 itself would at best only partially solve the traffic
16 congestion problems. Yet, in the EIR TCA has
17 compared the cost of a partial solution of solving
18 the traffic congestion by constructing the toll road
19 with a complete solution to traffic congestion by
02:08 20 improvements to the I-5 and arterials.

21 The comparison of the cost of the
22 alternatives in the EIR is slower as a result. To do
23 a fair comparison, the congestion should be added to
24 the toll road costs -- sorry -- to do a fair
02:08 25 comparison, the additional cost of the I-5 and

1 arterials that would still be required to relieve
2 traffic congestion should be added to the toll road
3 costs.

02:08 4 These would also have to include the cost
5 required for the noncompete clause that is part of
6 the toll road agreement already signed by Caltrans.
7 This agreement requires that the TCA be reimbursed
8 for lost revenue from reduced traffic flow on the
9 toll road as a result of any I-5 and arterial
02:08 10 improvements.

11 Please reject the EIR and tell the TCA to
12 identify an alternative that meets the objective of
13 projected traffic congestion, and not just help
14 relieve some of it. Have the TCA numbers verified by
02:09 15 an independent agency such as Caltrans or OCTA, and
16 then determine whether constructing a toll road
17 through San Onofre State Beach Park, the Donna O'Neil
18 Conservancy and unspoiled ranch land is truly the
19 best way to go. Thank you for allowing me to talk.

02:09 20 CHAIRMAN RYAN: Thank you, Mr. Holmes.

21 The next ten after those names I read will
22 be Susan Smith, Dena Gartland, Alan White, Jerry
23 Colamer, Terry Brennan, Scott Samborsky, Jack Eidt,
24 Matthew Kolysko, Troy -- Troy Tran, it looks like,
02:09 25 and Yoca Chandran.

1 And next up is Jerry Lehman. Is he here?

2 MR. LEHMAN: Good afternoon. I'm Jerry Lehman,
3 a 30-year resident of San Clemente. I also enjoy the
4 20 minute commute on Friday, Saturday and Sunday to
02:10 5 Dana Point. That's four exits from Pico.

6 Traffic congestion has gotten really bad in
7 San Clemente. I don't think a lot of people realize
8 how much it's impacted that town. I come to you
9 today because I was on the board of directors for the
02:10 10 San Clemente Chamber of Commerce, represent -- 500
11 members strong businesses. We've always been in
12 support of it and we would like to see the completion
13 of the toll road. Thank you.

14 CHAIRMAN RYAN: Thank you, sir. Catherine
02:10 15 Higley. Charlotte Mazarit. Paul Arms.

16 MR. ARMS: Chair and board members, good
17 afternoon. My name is Paul Arms. I'm president of
18 the Orange County League of Conservation Voters.
19 First, I would like to say thanks for holding this
02:10 20 open process and allowing people in the community to
21 practice democracy. I think it's a wonderful thing.

22 I'd like to say, however, holding a meeting
23 in the day like this is really a challenge, a big
24 challenge for me to get time off of work. I live and
02:11 25 work here in Orange County, even coming down here in

1 the middle of the day is a big challenge.

2 I'll make this real brief because I don't
3 want to add to too much of what's already been said.

4 The Orange County League of Conservation Voters
02:11 5 definitely opposes certification of this EIR.

6 Namely, based on the fact that you're building
7 through a state park, a very valuable state park, to
8 not only Orange County, San Diego, but the citizens
9 of California.

02:11 10 As a frequent user of that state park, my
11 family and friends go there at least once a year,
12 it's very important to me personally -- shall I stop
13 while you guys are talking?

14 CHAIRMAN RYAN: No, you're fine. Go ahead.

02:11 15 MR. ARMS: It's very important to my friends and
16 family. A lot of their kids learned to ride bikes
17 there, it's a safe environment to ride bikes. You
18 don't have to worry about the traffic in their own
19 neighborhoods. It's a wonderful experience to go
02:11 20 down to the beach.

21 If you have a family with kids, you know how
22 expensive it is to go do something with them.

23 Recently we went to Disneyland, we spent five hours
24 at Disneyland. We spent three days at San Onofre
02:12 25 State Beach for a lot less than we spent at

1 Disneyland, so it's very important.

2 A lot of arguments I heard here -- this
3 microphone doesn't seem to be working properly.

02:12 4 CHAIRMAN RYAN: We can hear you fine. You're
5 doing a good job.

6 MR. ARMS: I think some of the things I heard in
7 the last hour is this plan has been in place for
8 20-odd years so they want to keep it. Just because a
9 plan has been in place doesn't mean they should keep
02:12 10 it. In my opinion and a lot of opinions of a lot of
11 folks, it's a bad plan that's been in place for
12 20 years. So just because it's there doesn't mean
13 you need to keep it.

14 So having said that, I know a lot of you are
02:12 15 city councilmembers, if not all of you. And in your
16 own communities you have your own parks that are very
17 important. You know how hard parks are to finance
18 and keep going. The Great Park would be one example.

19 I think it's absolutely unfair to, you know,
02:13 20 take a park that belongs to the citizens of
21 California and put a freeway through it. Think of
22 how you would feel in your own community if somebody
23 wanted to build a Wal-Mart on a park in your area or
24 build a freeway through it or build a road through
02:13 25 it.

1 So when you look at San Onofre and when you
2 look at San Mateo campground, please think of the
3 value that that has to the State of California, the
4 citizens of Orange County and all the people that use
02:13 5 it. As a 40-year resident of Southern California, I
6 would hate to see a freeway -- or excuse me -- a toll
7 road go through the middle of such a beautiful state
8 asset.

9 So having that said, I'll close and I want
02:13 10 to echo the comments of Surf Rider, Sierra Club,
11 NRDC, Native Plant Society and others, please do not
12 certify this EIR. Find an alternate route. Thank
13 you for your time.

14 CHAIRMAN RYAN: Thank you, Mr. Arms.

02:13 15 Susan Smith. Dena Gartland. Alan White.

16 MR. WHITE: Thank you very much, Mr. Chairman,
17 ladies and gentlemen, good to be here. Sir Martin
18 Reece, the astronomer and royal of Great Britain,
19 reckoned that unless we initiate drastic changes now
02:14 20 in our thinking and in our lifestyles, human beings
21 and our biosphere have only a 50/50 chance of
22 survival to the year 2100.

23 Almost certainly, according to a team of
24 conservation biologists from Stanford University,
02:14 25 1,200 additional species of birds will be extinct by

1 that same year. One of these things that we have to
2 do is to stop building unnecessary or
3 unjustifiable roads and highways.

4 It's time to stop building toll roads
02:15 5 anyplace in California, especially here in South
6 Orange County. It's way past time to stop building
7 anything on what's left of our local wildlands and
8 parks.

9 It's time to admit that species, even as
02:15 10 humble as gnatcatchers and toads and trout and
11 coyotes, have more arguable right to that habitat we
12 want to put a road through than we human beings.
13 It's time to admit that the toll road -- it's time to
14 admit that the toll road might have been a good idea
02:16 15 20 or 30 years ago when it was first conceived, but
16 it's not a good idea now for the very -- for the
17 several reasons that Mayor Warkomski, earlier today
18 and many other people now, have given me.

19 So, please, ladies and gentlemen, vote
02:16 20 against this EIR acceptance for the 241 South. Thank
21 you very much.

22 CHAIRMAN RYAN: Thank you, sir.

23 Jerry Colamer.

24 MR. COLAMER: Good afternoon. Thanks for the
02:16 25 chance for us to speak our minds. This morning I

1 believe was passed around to you guys and ladies and
2 gentlemen the O.C. beltway alternative. And so we
3 gave 16 of them to the board and I hope you received
4 them and have looked at them.

02:16 5 We're suggesting an alternative to the road
6 through Trestles. There's a single-purpose agency --
7 the TCA's answer to South County traffic problems are
8 grossly overexaggerated. The negative impact
9 improvements to the I-5 fail to look at other
02:17 10 innovative, modern and realistic traffic solutions.

11 We feel that it's our civic duty to say --
12 and many outside the TCA also feel it to be a
13 seriously flawed traffic plan, and imagine a better
14 solution, a true alternative to the 241 South
02:17 15 extension. We labeled it the "Beltway," which
16 connects the 241 and the 73 at the I-5 in one, smooth
17 flowing sinuous loop, tying the West 73 and 241
18 together at I-5, the extension south, as does the TCA
19 model south, through the new Rancho Mission Viejo
02:18 20 development.

21 There it curves graciously west to connect
22 to the 73 toll road, where it's efficiently served by
23 the Caltrans-improved I-5, but the TCA's noncompete
24 agreement for the San Clemente I-5 segment is held
02:18 25 hostage, just as the 91 was held hostage by the

1 noncompete agreements. Every highway expert knows
2 that I-5 segment of roughly seven miles takes no
3 homes, requires no double-decking and if it's
4 completed according to Caltran's master plan would,
02:18 5 in fact, relieve future northbound traffic to a far
6 greater degree than a needless, unaffordable toll
7 road through a wilderness state park.

8 The smart solution is to stop this road
9 through Trestles and look seriously at our beltway
02:18 10 model. Get rid of the noncompete zones and fix one
11 of America's major arteries, the I-5, once and for
12 all, and get our county moving in the right direction
13 by putting roads where they're needed most, not where
14 you thought they should be 25 years ago.

02:19 15 It's a new day and we need a 21st century
16 traffic plan. The beltway is the better road to keep
17 us all moving in the right direction, because the
18 snarl in South County is east-west, Mission Viejo,
19 L.A., to Inland Empire, back and forth, and not a
02:19 20 north-south solution. The north-south solution has
21 to be solved, and we all know it, by widening the
22 I-5. Thank you.

23 CHAIRMAN RYAN: Thank you.

24 The next is speaker Terry Brennan.

02:19 25 MR. BRENNAN: Thank you. My name's Terry

1 Brennan and I've been a resident of Orange County for
2 22 years. I've seen a lot of changes in the county,
3 as many of you have, and I am a supporter of the toll
4 road as many people who have spoken to you. So I'll
02:20 5 cut mine down and say there's a couple things.

6 One, I was at the meeting in San Clemente as
7 I have been here today. Both my experiences have
8 been the same in one way, and that is I had to sit in
9 traffic and congestion to get to them. Over my
02:20 10 career here, I've had reason to go to San Diego and
11 back. I don't have a choice; my only choice is the
12 5. I wish you would give me a choice, an
13 alternative.

14 I don't always drive on the Eastern
02:20 15 Transportation Corridor now, the 261, 241, or the San
16 Joaquin, but sometimes I do and I enjoy that choice.
17 So I really implore upon you to move forward with
18 this and give me a choice.

19 The second is there have been people up here
02:20 20 who have spoken about the pocket mouse and the
21 steelhead trout. Well, I'm a resident of this county
22 and I would like you to give me rights, too, and not
23 just the rodent and the fish. I live here with them
24 also. So, please, move forward with this road. I
02:21 25 really would like to have a choice. Thank you.

1 CHAIRMAN RYAN: Thank you.

2 Scott Samborsky.

3 MR. SAMBORSKY: Good afternoon, Mr. Chairman,
4 and board members. My name's Scott Samborsky. I've
02:21 5 lived in Rancho Santa Margarita for 16 years and
6 Orange County for up to 37. I currently use the
7 Fastrak and I take the toll road to work virtually
8 every day and use it on the weekends. Most of my
9 neighborhood also use the Fastrak.

02:21 10 I think the experience of the toll road
11 overall is one that has enhanced my quality of life.
12 It's given me more time with my family, as that's
13 been said already. It's a very safe commute. I
14 believe it's always the safer choice versus taking
02:22 15 congested side streets.

16 One thing that really hasn't been mentioned
17 is that since I've been taking the toll road, I've
18 never ever seen any wildlife that I've encountered --
19 I've never seen any animals laying dead on the side
02:22 20 of the road.

21 I strongly support the extension of the toll
22 road, south toll road, and ask the board of directors
23 to certify the EIR. Thank you.

24 CHAIRMAN RYAN: Thank you.

02:22 25 Jack Eidt. As Jack comes here, our next ten

1 names will be Ed Steiner, Steve Tadesco, Marni Magda,
2 Tad Dudinski, Jeff Stewart, Mike Robinson, Tracy
3 Huber Hughes, Lisa Maccreedy, Steve Conklin and Brian
4 Kleindienst.

02:22 5 Good afternoon, sir.

6 MR. EIDT: Hello. My name is Jack Eidt and I'm
7 an urban planner and I'm from San Juan Capistrano,
8 but I'm here as a private citizen and working with
9 Jerry Colimar and we submitted to you the beltway
02:23 10 alternative.

11 Basically, we've envisioned a smart growth
12 alternative that would complete the -- the Foothill
13 South toll Road system while saving the San Mateo
14 campground and Trestles Beach, as well as dealing
02:23 15 with traffic from the main problem that we're going
16 to be facing in South Orange County, and that's
17 14,000 units being built, as well as 5 million square
18 feet of office for Rancho Mission Viejo.

19 Basically, I recommend that the final
02:23 20 EIS/SEIR should not be certified until it evaluates
21 what we are calling the 241, 73 beltway connection
22 alternative, which none of the alternatives except
23 for the I-5 ones were really viable the way this one
24 is.

02:23 25 We need arterial improvements and the I-5

1 widened and, as Jerry mentioned, the noncompete
2 clause as well as Avenida La Pata and Ortega, other
3 people have mentioned that. Basically, we're
4 advocating this beltway as, you know, as an
02:24 5 alternative to -- basically we're dealing with the
6 traffic as it's going to be generated.

7 These people are going to be heading direct
8 to Newport Beach to the Orange County Airport. The
9 project that is proposed does not deal with traffic
02:24 10 that way. It sends it to Yorba Linda and down to San
11 Diego. We need this to whisk people directly. We
12 need a direct, dedicated access to Rancho Mission
13 Viejo.

14 Right now, Ortega Highway is going to be a
02:24 15 disaster, and Crown Valley Parkway is already a
16 disaster and Oso is going to suffer significantly,
17 and that will not change after this project is
18 implemented. So what we're offering here with this
19 beltway is a way to provide a dedicated access, and I
02:25 20 think that it's -- it's unconscionable to certify
21 this project without seriously taking a look at our
22 alternative.

23 It's a smart growth alternative that aligns
24 roads and infrastructure with new housing and
02:25 25 commercial employment centers, and it saves precious

1 natural resources in large habitat blocks. The O.C.
2 beltway, coupled with the I-5 widening, is the answer
3 for future transportation mobility and will save the
4 San Onofre and San Mateo watershed. Please deny
02:25 5 certification of the SEIR. Thank you.

6 CHAIRMAN RYAN: Thank you, sir.

7 Matthew Kolysko.

8 MR. KOLYSKO: Good morning, and thanks for the
9 opportunity to speak. My name is Matthew Kolysko.

02:25 10 I'm a 14-year resident of San Clemente. I'm a
11 lifelong registered Republican and currently a
12 licensed general contractor in the state of
13 California. By the very nature of that license, I am
14 pro growth.

02:26 15 Again, I thank you for the opportunity to
16 speak to you today, allowing me to share my views,
17 thoughts, insights on the very issue on which you'll
18 be voting on very soon, the alignment of the Foothill
19 South Toll Road. I'm hopeful that this body
02:26 20 understands the levity that this issue presents to
21 each of you, your families, your friends, your
22 communities and the ecology.

23 The issues presented by the east alignment
24 have been hashed and rehashed before, the product of
02:26 25 negotiation. The product of telling our children and

1 their children that this is yours. Because of what
2 we did here, the damage, the grading, the taking of
3 otherwise native land in the interest of development,
4 and talking about the most northerly approach to the
02:27 5 Foothill South through Donna O'Neil Conservancy,
6 mitigation for what is now Talega in San Clemente.

7 Let me remind you of the definition of
8 mitigation. To act in such a way as to cause an
9 offense to seem less serious. In other words,
02:27 10 because this development, i.e., Talega transformed
11 what was once a thriving natural habitat into a less
12 suitable environment, we'll set this land over here,
13 i.e., Donna O'Neil Conservancy aside, forever to be
14 wild because of the harm that we have committed.

02:27 15 The TCA has been granted a trust by the
16 state, by the people. I can't think of anything that
17 would permit such an atrocity such as building a road
18 through mitigated land, other than total disregard of
19 public trust. The same goes for the mitigation at
02:27 20 San Mateo, the same mitigation set aside for the
21 people of this state for the taking of beachfront
22 property construction, for what is now San Onofre
23 nuclear generating station. Again, a total disregard
24 of public trust.

02:28 25 I have attended many hearings and have seen

1 an overwhelming amount of support for the protection
2 of these two previously mitigated areas, so much so
3 that I am of the opinion now that not only would a
4 vote in favor show a disregard of public trust, but
02:28 5 it borders, if not aligns with, criminal.

6 The following is an excerpt of the Able
7 First 1971 issue of the Orange County Register. This
8 shows conclusively the intentions of the use of the
9 land in regards to San Onofre State Park.

02:28 10 Congressman Alfonzo Bell who led the battle to open
11 up Camp Pendleton state beaches was elated over the
12 president's action. San Onofre State Park is the
13 result of then-Congressman Alfonzo Bell, he led the
14 battle to open up Camp Pendleton Beaches.

02:28 15 I will quote Mr. Bell. "In his message to
16 congress on the nation's environment last month,
17 President Nixon pledged to make suitable federal land
18 available for state parks. Today he has demonstrated
19 that he is as good as his word, and I hope that this
02:28 20 will be just the beginning of the continuing national
21 program to convert unused federal land to
22 recreational purposes." Nowhere in there do you see
23 the use of roads.

24 CHAIRMAN RYAN: Three minutes, sir.

02:29 25 MR. KOLYSKO: I'd like to submit to you a letter

1 from Governor Ronald Reagan as well, if I may.

2 CHAIRMAN RYAN: Sure, if you could wrap up. Are
3 you reading his letter?

4 MR. KOLYSKO: It's just one paragraph.

02:29 5 CHAIRMAN RYAN: Okay, sir.

6 MR. KOLYSKO: All right. This is in his
7 dedication of the state park. "I firmly believe one
8 of the great legacies we can leave to future
9 generations is the heritage of our land, but unless
02:29 10 we can preserve and protect the unspoiled areas which
11 God has given us, we will have nothing to leave them.
12 This expanse of acreage, San Onofre Bluff State
13 Beach, now has its future guaranteed as an official
14 state park. However, it's preservation still remains
02:29 15 with those who use the park. As stewards of the
16 land, we must use it judiciously and with a great
17 sense of responsibility." Thank you.

18 CHAIRMAN RYAN: Thank you. Okay. Biggest
19 applause so far today. Hold it down.

02:30 20 Next speaker is Mr. Tran.

21 Yoca Chandran.

22 MR. CHANDRAN: Chairman of the board, members,
23 my name is Yoca Chandran, and I want to thank you for
24 the opportunity to speak today. I'm a resident of
02:30 25 Orange County for 16 years. I lived in Irvine for

1 eight and the rest of the years in Orange County. I
2 have friends and family all over Orange County and
3 use the freeways, local streets, toll roads on a
4 regular basis.

02:30 5 Over the last 15 years I have seen a steady
6 growth in the area, resulting in increased traffic
7 and diminished quality of life. And one of the
8 reasons I moved to Orange County is to -- the
9 attraction was mostly a better quality of life, and I
02:31 10 think it's diminishing with every year, every day,
11 every week.

12 Looking at the proposal by TCA, I think it's
13 going to improve the road system in Orange County.
14 The less time that we spend in traffic improves my
02:31 15 time with family. And as several speakers indicated
16 before, I'm in favor of the preferred alignment and
17 hope that you would certify that as the board. And I
18 think as a community, I think the board owes to the
19 community that we demand -- we deserve a better
02:31 20 quality of life. Thank you.

21 CHAIRMAN RYAN: Thank you.

22 Ed Steiner.

23 MR. STEINER: Good afternoon, Chairman Ryan, and
24 members of the board. My name's Ed Steiner. I've
02:32 25 been a resident of the county since 1965. I've lived

1 in Irvine since 1984, just a short jaunt from the
2 261.

3 During the time I've lived in the county,
4 I've seen many things change. The county's grown
02:32 5 tremendously and becoming economically vibrant,
6 culturally diverse and cosmopolitan. The cities are
7 becoming magnets for people throughout the region.
8 Infrastructure has not always kept up with the
9 growth.

02:32 10 Both for work and pleasure I've come to
11 travel throughout the county. Like so many, I, too,
12 have experienced traffic congestion on the freeways,
13 but like many others I've also experienced the relief
14 provided by the existing toll road system. I've used
02:32 15 the Eastern San Joaquin Foothill corridors as
16 convenient routes and enjoyed them greatly.

17 The proposed 241 extension provides a link
18 that is presently missing from the system. It will
19 relieve the congestion on the I-5 and routes leading
02:33 20 onto the I-5. The existing congestion will worsen as
21 approved developments in the County of Orange are
22 built out in the future. With the construction of
23 the 241 extension, we have the opportunity to
24 accommodate not only the present traffic, but that
02:33 25 which we know will be coming in the future.

1 I urge you to approve the preferred
2 alternative alignment and certify the EIR so that
3 construction may progress. This is a golden
4 opportunity to provide the infrastructure and
02:33 5 development and maintain our vibrant economy and
6 quality of life. Thank you for the opportunity to
7 speak.

8 CHAIRMAN RYAN: Thank you for your comments.

9 Steve Tadesco.

02:33 10 MR. TADESCO: Thank you, Mr. Chairman and
11 members of the board. My name is Steve Tadesco. I'm
12 an Irvine resident and I've lived and worked in
13 Orange County for about 21 years. I'm a regular toll
14 road user. The toll roads save me time and improve
02:33 15 my quality of life and the quality of life of many of
16 my employees. I don't want to rehash any of the
17 things that the previous people said. It's late in
18 the day and you should appreciate that.

19 I would like to say, however, that the
02:34 20 majority of Orange County residents would agree that
21 traffic congestion is our number one problem. The
22 TCA board today has the opportunity to take a major
23 step to improve traffic conditions in Orange County.
24 Please approve the environmental document and select
02:34 25 the green alignment. Thank you.

1 CHAIRMAN RYAN: Thank you.

2 Marni Magda.

3 MS. MAGDA: Good afternoon. I'm Marni Magda
4 from Laguna Beach. I'm here today to ask you to
02:34 5 honor the State Park's Commission to not put this
6 road through San Onofre State Park and to not ignore
7 what mitigation means. To let a conservancy, to let
8 state, federal land be used because of a cheap way to
9 build roads is irresponsible. You set a precedent
02:34 10 that will be nationwide, Californiawide and we begin
11 to lose all future hope.

12 Oil is going to be a problem in the future.
13 The single car that you're providing this silly toll
14 road for is in trouble. We need smart growth, we
02:35 15 need smart solutions and we cannot go on as business
16 as usual.

17 Every person here representing the
18 businesses of this county is thinking about one inch
19 in front of their nose. And the people who have been
02:35 20 giving you advice on your staff are -- as I watch
21 over the last five years and attend your meetings,
22 what I over and over again see is that you are not
23 getting a full picture.

24 And I would give you the example -- and I'm
02:35 25 sorry, she's only the staff member -- and I didn't

1 get her name -- she's the only woman to speak and she
2 was the one talking about how it won't hurt the park.
3 And she stood up here and showed you pictures of how
4 it won't, and even said it won't stop the campsites
02:35 5 and there will be a sound wall.

6 And then we had a state park ranger here to
7 say you know that that is not true. It will divide
8 the park and shut down San Mateo campground. So you
9 get that misinformation over and over again. The
02:36 10 same with James Brown, when he's talking about the
11 traffic study.

12 We have a different traffic study, and what
13 we find is that what is happening that Measure M that
14 sunsets in 2006 had no plan at all for widening the
02:36 15 I-5. And what I have been told when I try and talk
16 to people at both the Orange County and the TCA --
17 the Transportation Authority, what I find is that
18 they're saying there is a noncompete there. The
19 problem is since that little line was drawn in '81
02:36 20 and no one knew for sure how this world would change,
21 that there is an unstated noncompete agreement,
22 because there's not a road yet to be able to even say
23 how much you would owe the toll road agency when that
24 road is built.

02:36 25 And today, you had someone speak who said

1 there is no plan for widening the I-5 until 2041. I
2 would guess that's because they're now working on the
3 next Measure M and they're not putting it in it
4 because we still won't know and won't have the
02:37 5 studies here for how much we would owe you in order
6 to widen the 5.

7 The 5 needs to be widened and it could be
8 widened and it would be a real solution to the
9 problems of the future. It would also clean up the
02:37 10 mess, as you said, that your TCA is going to take
11 care of that little two miles of land and get the
12 pollution off.

13 I live in Laguna Beach. I've watched that
14 ocean be destroyed and it is going so fast. Every
02:37 15 research and study let's you know how fast we are
16 losing our ocean. Get in there with a snorkel and
17 you will be appalled at what you're seeing. Ask
18 people who know. We can't afford this last watershed
19 to be destroyed. And I would go on with the mistakes
02:37 20 of Scott Taylor and Dave Scully, but my time is up.
21 You are not hearing all of the facts.

22 Please listen to the NRDC. They have said
23 on public record that this is the worst project that
24 they are viewing -- overweighing in the entire state
02:38 25 of California.

1 CHAIRMAN RYAN: Thank you, ma'am. Ms. Magna, I
2 assume here, it indicates you are representing the
3 Friends of the Foothills. Is that correct?

4 MS. MAGDA: There are many organizations that I
02:38 5 am representing because they asked for help.

6 CHAIRMAN RYAN: Thank you.

7 Tad Dudinski. Jeff Stewart. Mike Robinson.
8 The next ten soon to be up will be Robert Fraser,
9 Grant Ropp, Kelly Merrill, Ruth Lehman, Cary Strong
02:38 10 Botes, Jeanette Marles, Mary Acuna, Bhason
11 Tabasoli -- you know, I haven't had one German name
12 yet today, I don't think, and Yohana Fetler.

13 You're up, sir.

14 MR. ROBINSON: Good afternoon. My name is Mike
02:39 15 Robinson. I'm a resident of Ladera Ranch, right here
16 over the hill. I'm fairly new to Orange County. I
17 moved here for my job, actually, just a couple years
18 ago.

19 I have a north-south commute to Santa Ana.
02:39 20 I spend about ten hours a week on the freeway, about
21 three and a half hours a week on the local roads that
22 would be improved by this project. I've looked at
23 the alternatives, and I think 15 years of studying
24 this is enough. I'd like to see this built now. I'm
02:39 25 for this and I hope you guys approve it.

1 CHAIRMAN RYAN: Thank you.

2 Tracy Huber, please. Lisa Maccreedy. Steve
3 Conklin. Brian Kleindienst.

4 MR. KLEINDIENST: Thank you, members of the
02:40 5 board. I'm looking at the proposed eyesore, the
6 Foothill South Toll Road, from two perspectives. One
7 as a proud resident of South Orange County and, two,
8 as a longtime surfer and active member of the
9 Surfrider Foundation. As a resident and person who
02:40 10 has grown up here my entire life, I've grown
11 accustomed to the separate identity that we have from
12 our neighbors in San Diego and L.A. Counties. And
13 that identity, as I see it, which has been inevitable
14 for those communities, is a concrete jungle.

02:40 15 Why turn this pristine plot of land and
16 beach, full of dynamic animal species, a pure-flowing
17 watershed and a spectacular wave into a cesspool of
18 the trash, pollutants and an all-around cancer in our
19 community. Why ruin one of the last tranquil and
02:40 20 radiant frontiers of South Orange County for a giant
21 concrete erector set, an erector set that is
22 supposedly intended to remove traffic.

23 This toll is not going to relieve traffic,
24 it's only going to promote more. Look at the 73,
02:41 25 241, 261. Those roads have only brought more

1 congestion to those areas, not relief. We all know
2 the underlying goal for this toll, more money for the
3 developers to line their pockets.

4 I'm tired of the convoluted logic by
02:41 5 developers and the TCA in continually destroying my
6 community or our community. I want to see them use
7 their intellect, if there is any, and problem-solving
8 skills to better what is already existing, from the 5
9 to the Ortega. It's easy to bulldoze and lay
02:41 10 concrete. How about fixing our current
11 infrastructure before marring what is pristine.

12 So I implore you to keep South Orange County
13 for South Orange County and its tens of thousands of
14 visitors who continue to enjoy San Mateo campground,
02:41 15 San Onofre State Park and, of course, the greatest
16 amusement park ever made by mother nature for
17 surfers, Trestles.

18 CHAIRMAN RYAN: Thank you, sir.

19 Robert Fraser.

02:42 20 MR. FRASER: I came to Orange County in 1950 at
21 the commencement of the Korean war and stayed on
22 here. I won't say that I've seen more than most, but
23 I've been to the mountain and I've seen the elephant
24 and some things never change.

02:42 25 I had the pleasure to serve on the Orange

1 County Criminal Justice Council for 13 years, '68 to
2 '81, and I saw that one could not rely totally on
3 one's staff. One had to get down to the work he was
4 appointed to handle and sometimes put his personal
02:42 5 work to one side instead of leaving everything up to
6 staff. So be sure you're working on what's down
7 under your noses.

8 Some of this stuff that we've heard today in
9 regard to the environmental situation is good dope,
02:43 10 it's straight stuff, and it should be listened to.

11 One of the things that came home to me, I've
12 heard a number of times one rainstorm, heavy
13 rainstorm, carries down more pollutants to the ocean
14 in our state than the rest of the industrial
02:43 15 pollution for the rest of the year.

16 Now, we've had these freeways since they
17 went in in 19- -- well, the end of the '50s, and the
18 pollution stuff rolls off of them like water off a
19 duck's back. And there's been plenty of time for
02:44 20 Caltrans to get that handled and it hasn't handled
21 it. And ladies and gentlemen, it's pie in the sky to
22 think they're going to, to think that they've got the
23 answer now, so they build their tollway through the
24 park and through San Mateo Creek and there's not
02:44 25 going to be any harm coming. Well, that isn't the

1 way it works.

2 Lastly -- and I see the light here --
3 lastly, we've got 40,000 homes authorized to be
4 built. Why the dickens aren't those people who build
02:44 5 those homes required to put in the infrastructure
6 before they're allowed a permit? And I've seen year
7 after year go by and permits are granted all over the
8 place for subdivisions and development and no
9 infrastructure is put out there, except I think there
02:45 10 was an attempt in regard to some kind of bonds, and I
11 don't remember what that was, but people weren't
12 happy because they had to pay extra money for them.
13 Thank you, gentleman.

14 CHAIRMAN RYAN: Thank you, sir.

02:45 15 Grant Ropp. Kelly Merrill.

16 MR. MERRILL: Thank you, Mr. Chairman, and
17 members of the board. I appreciate the opportunity
18 to be here today. While I think most other people
19 that have spoken, I'm not a resident of Orange
02:45 20 County, but I do have a family and friends here and
21 do a lot of business here, so I do spend a lot of
22 time in the area. I do use the toll roads and I use
23 the local areas.

24 I'd like to express my very strong support
02:45 25 for this toll road, and I'd like to encourage the

1 board to certify the EIR document and to approve the
2 green alignment, and a couple reasons for that.

3 One, I think I've been very impressed
4 looking at the environmental process. I believe it's
02:46 5 been very thorough and very collaborative with all
6 the stakeholder agencies working together to
7 determine that the green alignment has the least
8 environmental impact here. So I think the board
9 members and TCA staff should be commended for the
02:46 10 work that's gone into it that -- the eight years
11 that's gone into that.

12 And there's been a lot of discussion here
13 today, of course, about the critical need to relieve
14 the congestion on the I-5 corridor, and I believe the
02:46 15 toll road would do that. We've heard a number of
16 taking 58,000 cars a day off of I-5, and the amount
17 of traffic increase, congestion that will occur over
18 the next 20 years if the toll road is not approved,
19 and I think that's very critical.

02:46 20 And I think a central point I'd like to
21 make, as a businessperson here, I'm very concerned
22 about the effects of the traffic congestion on the
23 quality of life for my employees, both my current
24 employees and future employees. Current employees
02:46 25 for just the day-to-day lives and their ability to

1 efficiently conduct their work. And also, frankly,
2 to retain those employees. I don't want those
3 employees to get fed up and leave the area because we
4 need them.

02:47 5 And then very much so we find it very
6 difficult, as nice an area this is, to attract the
7 people to come in to address the needs of this very
8 dynamic area and that's difficult. So for those
9 reasons, again, I strongly support the toll road and
02:47 10 urge you to move ahead with the green alignment.

11 Thank you.

12 CHAIRMAN RYAN: Thank you, sir.

13 Ruth Lehman.

14 MS. LEHMAN: My thanks to the board members for
02:47 15 providing me an opportunity to present my views. I'm
16 a resident of Orange County, a member of the Sierra
17 Club and a frequent user of the tollway system in
18 Southern California, both for business and pleasure.

19 I would say that we all agree that
02:47 20 transportation congestion is a significant and
21 growing problem in Orange County. Just today, my
22 carpool driver asked the riders which route would be
23 faster to travel through Irvine for this meeting, I-5
24 I-405 or a local road. I'm still not sure we made
02:48 25 the right choice.

1 As our population continues to grow, action
2 is required to provide accessibility and mobility
3 options that match the level of the growth. TCA
4 continues to take great care in providing needed and
02:48 5 effective mobilization options to the residents of
6 Southern California. The proposed green alignment is
7 another example of that care concerning both the
8 needs of the traveling public as well as the
9 protection of our environment.

02:48 10 I respectfully request that the board
11 certify the environmental document and select the
12 green alignment that the resource agencies recommend
13 as this alignment has the least impact on the
14 environment. Thank you.

02:48 15 CHAIRMAN RYAN: Thank you.

16 Cary Strong Botes. Jeanette Marles. Mary
17 Acuna. Bhason Tabasoli. Yohana Fetler.

18 There we go. Are you Mr. Tabasoli?

19 MR. TABASOLI: Yes, I am.

02:49 20 Good afternoon, ladies and gentlemen. My
21 name is Bhason Tabasoli and I'm here to support of
22 the extension Foothill South. I'm using I-5
23 frequently for work and pleasure. I want to shorten
24 my speech because we have -- because we have -- have
02:49 25 the initiative for it.

1 One point they have is 50 years ago in
2 President Eisenhower's time, the United States
3 decided to build -- design and build many highways
4 across the country. And then this is time that we
02:50 5 need to appreciate them for their efforts and the
6 decision for this unique infrastructure you have.

7 So today we hear that more than 15 years of
8 studies have been performed to find least
9 environmental impact. And then so this is the time
02:50 10 we need to ask you to approve the proposed alignment
11 and move the project forward. Thank you.

12 CHAIRMAN RYAN: Thank you, sir.

13 Yohana Felter.

14 Okay. Our next ten will be John Frias,
02:50 15 Dennis Taylor, it looks like, or Saylor, Mo Hayes,
16 Steve Young, former quarterback of the 49ers, Mark
17 Elteer, Iraq Porman, Ahman Solama, Marilee Anderson,
18 Gigi Blonce, Linda Dunn-Ross, and Marry Ellen Kopeck
19 will be the next ten. Is Mr. Frias here? Dennis
02:51 20 Saylor or Taylor. Mo Hayes.

21 Steve Young, former quarterback of the
22 49ers. You don't hear that at all, I'm sure, right.

23 MR. YOUNG: This is the first time ever. My
24 name is Steve Young. I've been a congressional
02:51 25 candidate in the county and I've resided here for

1 28 years. I've lived in Mission Viejo, Trabuco
2 Canyon, Laguna Niguel and now Newport Beach. I've
3 driven the toll roads frequently. I enjoy the toll
4 roads, but I have some concerns that I would like to
02:51 5 express, however.

6 The worst freeway that I know of is the area
7 of the 5 Freeway to the north of San Diego to
8 approximately the San Clemente, Orange County line.
9 I'm concerned that dumping additional traffic into
02:52 10 that area of the freeway is going to have a
11 significant negative impact on the 5 Freeway traffic
12 pattern. With all of the problems we've heard from
13 other speakers concerning issues, et cetera, I think
14 that rather than solving the problem, we're looking
02:52 15 at exacerbating the problem.

16 I am interested in a solution that will have
17 a real impact on traffic. I do believe that we need
18 to do work on our traffic system, and one of the
19 problems that I see -- in fact, I'll identify a
02:52 20 couple.

21 I would ask that the TCA waive its
22 noncompete provision it has on the 5 Freeway to allow
23 remediation of the sections of the 5 Freeway that
24 would benefit residents of the Orange County, without
02:52 25 regard to the TCA's desire to maintain a monopoly for

1 the purpose of profit on the toll roads.

2 I understand that the TCA is a private
3 entity, profit-driven, but we've been talking about
4 the best interests of Orange County, both on behalf
02:53 5 of TCA and of the citizens. But more so I'd like to
6 raise a second issue with the TCA, and that is there
7 is a proposal in the materials -- and I've been to a
8 number of chamber of commerce meetings, governmental
9 affairs committees, and I've seen the TCA's
02:53 10 presentation a number of times. And I have asked
11 questions that I still have not received adequate
12 answers to, and I'd like to propose them to you.

13 The first is -- and I see the yellow light's
14 coming on, so I'll speed along. The first is, isn't
02:53 15 it a bit of a conflict of interest to propose a
16 widening of the 5 Freeway without disclosing the
17 amount that would have to be paid for a waiver of the
18 noncompete?

19 Isn't it a conflict of interest for the TCA
02:54 20 to propose widening of 5 Freeway if it's going to cut
21 into their profit operating the 73 and the 241? If
22 we're seriously going to discuss it, we need to
23 discuss all of the alternatives, which I believe the
24 most significant one has been left out, and that is a
02:54 25 double-deck on the 5 Freeway.

1 I also believe that the figures that have
2 been given for the proposal for the 5 Freeway
3 widening are misleading and need to be looked at
4 again. The reason being, why did you start at El
02:54 5 Toro Road as opposed to the relevant portions of the
6 5 Freeway which would begin approximately at Crown
7 Valley Parkway? Why didn't you use a real appraiser
8 for the purpose of coming up with a determination of
9 cost for condemnation?

02:54 10 Now, the reason I think the double-decker is
11 preferable is because we don't want to go condemning
12 property if we don't have to. We don't want to close
13 businesses and we don't want to put people out of
14 their homes when we can still increase the flow on
02:54 15 the 5 Freeway with a double-decker freeway.

16 Lastly, I am concerned that there was not an
17 appraiser that was used to get valuations. If there
18 was, a statement of value would have included his
19 assumptions and qualifications and other issues that
02:55 20 are required under USPAP standards for any opinion
21 issued by a real estate appraiser.

22 I ask that you look more closely at the
23 materials that have been given, that you re-examine
24 alternatives that have been presented that have not
02:55 25 been included, and we do so in a manner that is

1 actually in the best interest of Orange County and
2 its citizens. My time is up. I appreciate the time
3 and opportunity to speak. Thank you so much.

4 CHAIRMAN RYAN: Thank you.

02:55 5 Mark Elteer. Iraq Porman. Ahman Solama.
6 Marilee Anderson. Once again, these will all go into
7 the record in either support or opposition as
8 indicated on the sheets. Gigi Blonce.

9 Linda Dunn-Ross.

02:56 10 MS. DUNN-ROSS: Hi. My name's Linda Dunn-Ross.
11 My husband and I own a home in Oceanside and San
12 Clemente, and our families live in both North San
13 Diego County and South Orange County and love it.
14 And I am here speaking today to save Trestles and to
02:56 15 stop the toll road from destroying a world-class
16 renowned surfing beach.

17 I am a member of the Sierra Club, Surfriders
18 Club and concerned about the well-being of the
19 environment. I am here speaking to try to stop the
02:56 20 significant loss of nature and protect the beautiful
21 natural resources that we have.

22 It seems that the toll road is about money
23 for the developers, not about what the best is for
24 the millions of people who love and enjoy the beach,
02:57 25 the state parks system. If you choose to destroy and

1 allow nature to be destroyed, it is wrong for the
2 well-being of millions people.

3 This would be irreversible damage. Nature
4 cannot be created again. Once it is concrete, it
02:57 5 will never come back. You have this chance now. Do
6 you choose to save nature, our environment, and,
7 really, ourselves and the quality of life? Or do you
8 choose to ruin nature and our environment and destroy
9 life?

02:57 10 I applaud the comments of all the Surfrider
11 and Sierra Club members and all the citizens that are
12 concerned about everyone's well-being and longevity
13 and quality of life. Jerry Colimar, Brittany McKee
14 and the Surfrider, Sierra Club said it all and spoke
02:57 15 with heart-felt feelings and detailed facts of the
16 alternatives.

17 I urge you to listen to their alternatives
18 and not to give in to paying off all the developers
19 of the toll road, but please choose life and nature
02:58 20 and the environment. The millions of people who had
21 to work today and the children who are in school
22 today who could not speak here today to save Trestles
23 and the campground are counting on you to make the
24 decisions of their well-being.

02:58 25 Please look into your hearts and realize the

1 responsibility that you have. There are
2 environmentally friendly options. Please decide on
3 those options. Save Trestles and San Mateo
4 campground. They can be not replaced. Thank you.

02:58 5 CHAIRMAN RYAN: Thank you.

6 Mary Ellen Kopeck. Gail Herson.

7 MS. HERSON: Good afternoon. My name is Gail
8 Herson and I own a home in Monarch Beach and I am
9 here in opposition to the extension of the toll road.

02:59 10 I am a tide pool docent in Laguna Beach. That means
11 that I volunteer my time to teach visitors how to
12 enjoy our tide pools without destroying them.

13 We teach them how to enjoy the tide pools
14 without hurting the sea animals and plants so that
02:59 15 the tide pools, which have been nearly destroyed due
16 to pollution, road runoff and overuse, will still be
17 here in future years for our children and
18 grandchildren to enjoy.

19 Now, what I find is that people, both locals
02:59 20 and visitors alike, simply are not aware of the
21 delicacy of our ocean environment. They poke and
22 prod the sea animals. They illegally take the shells
23 that house the hermit crabs and other animals and
24 they literally rip the starfish off the rock walls.

03:00 25 It is appalling.

1 Now, they're not doing it because they want
2 to destroy the tide pools, but this does destroy the
3 tide pools nonetheless. The visitors are just
4 thinking about themselves, thinking the environment
03:00 5 exists just for their own convenience and short-term
6 desires.

7 Now, as soon as I teach them a little bit
8 about how to enjoy the animals and the tide pools in
9 a way that doesn't destroy them, they're only too
03:00 10 happy to put their selfish desires aside so they can
11 allow the tide pools to survive and be here for
12 generations to come.

13 I think if people were aware of the damage
14 and destruction to the San Mateo Creek, the ocean,
03:00 15 the state park, San Onofre Beach, that it is
16 inevitable with the extension of the toll road, I'm
17 sure they wouldn't support the extension of this toll
18 road so that we can continue instead to enjoy the
19 state park, Trestles Beach, San Onofre and San Mateo
03:01 20 Creek.

21 Please, take this very personally. This is
22 personal. It's about you, it's about me, it's about
23 our children, it's about our grandchildren. We must
24 find better alternatives to this toll road extension.
03:01 25 Please, we are the stewards of this world. We are

1 not the conquerers, we are not the owners. We are
2 entrusted with taking care of our delicate world. We
3 will all pay a terrible price for this toll road. It
4 is not worth it. It is not worth it in this world,
03:01 5 it is not worth it in the next world. Thank you.

6 CHAIRMAN RYAN: Thank you, ma'am, for those
7 comments.

8 Okay, folks, we have gotten through about
9 100 speaker slips and I have about 50 more. We'll
03:01 10 try to be very balanced today. I think we've had
11 good input, both in terms of support and opposition.
12 I've got about 50 more speaker slips that are all in
13 favor, and there are no remaining opposition forms.

14 Is there any anyone in favor here that still
03:02 15 wants to speak and shed some new information that we
16 haven't heard yet today?

17 All right. If you'd come forward and state
18 your name. You did submit a speaker form; is that
19 correct?

03:02 20 MR. SCHWARTZ: Yes, I did.

21 CHAIRMAN RYAN: Okay.

22 UNIDENTIFIED SPEAKER: Mr. Chairman, I, too,
23 think I have some new information.

24 CHAIRMAN RYAN: Did you submit a speaker form,
03:02 25 sir? You need to submit a speaker form. We're going

1 to stop at 3:30 today, but if you have some comments
2 today, you need to submit a form.

3 MR. SCHWARTZ: Mr. Chairman, board, my name is
4 Steven Schwartz and I'm a resident of San Clemente.
03:02 5 I'm a native Californian, and except for four years
6 in the service, I've been in California all my life.
7 In my time in San Clemente, I own a residence and a
8 business in San Clemente and I served as the
9 president of our homeowners association and was on
03:02 10 the parks and rec commission and chair of the parks
11 and rec commission, as well as serving on the city's
12 coastal advisory committee.

13 In that capacity, I've seen the ability of
14 best management practices and how we can contain them
03:03 15 and take care of runoff and environmental controls,
16 and I think there's been a lot of misinformation as
17 to what can or can't be done. I believe
18 wholeheartedly that this project can be built in a
19 safe -- environmentally safe manner.

03:03 20 Also, there's 30- or 40,000 of us that live
21 on the inland side of that freeway. The 5 is the
22 only way for us to get around. I mean in San
23 Clemente the 5 is our local road, but if there is
24 ever a problem or an emergency, we need a way out and
03:03 25 currently there isn't any. Give us another way out

1 of the city and help the traffic that travels from
2 L.A. to San Diego, maybe bypass the 5. That's really
3 what we're looking for, and I think we can do it in a
4 good manner. Thank you.

03:04 5 CHAIRMAN RYAN: Thank you.

6 Who else wants to speak today? Can I see a
7 show of hands. Who else wants to speak today? One,
8 two, three -- four. Okay. You four will be the last
9 speakers.

03:04 10 Yes, ma'am.

11 MS. LOCHRIE: Good afternoon. My name's
12 Patricia Lochrie and I've been a resident of Orange
13 County for 35 years. I was here this morning and --
14 at the beginning. The thing that I have to add -- of
03:04 15 course, I'm in favor of the 241, the green
16 alternative. It's something that was presented to
17 you in a very thoughtful and intelligent, complete
18 manner.

19 Any objections that you heard this afternoon
03:04 20 have been addressed. And if the people were paying
21 attention, I think almost everything they brought up
22 had been addressed as being overcome, any obstacles.

23 The thing I have to bring up to you that I
24 have not heard this afternoon, the first speaker was
03:05 25 Assemblywoman Mimi Walters, who spoke for her

1 constituents for the toll road; another was the
2 representative from Supervisor Todd Spitzer's office,
3 and he also had him speak for the toll road. As all
4 of you are elected officials, each of them and you
03:05 5 represent your constituents.

6 So you see, the minor -- the vocal minority
7 that you hear this afternoon opposing it in force is
8 a tiny, tiny part of Orange County of people who
9 could not be here today. And I just ask you to take
03:05 10 into account any of the elected officials that came
11 to speak today or had their representative speak know
12 how their constituents feel, and know that the
13 majority of their constituents are in favor of it.
14 Thank you.

03:06 15 CHAIRMAN RYAN: Thank you.

16 Yes, sir.

17 MR. LOCHRIE: Thank you for the opportunity to
18 address you. My name is Dr. Bill lochrie. I've been
19 a resident of Orange County over 35 years and I live
03:06 20 in Fullerton. I'm here to voice support for the
21 tollway extension.

22 I belong to the Southern California
23 Commuters Forum. It's a group that gets together and
24 basically analyzes the different, basically, roads
03:06 25 and transportation for Southern California. And

1 we've done an analysis of the EIR and we think it's
2 an extremely good job, very, very well done.

3 I have a Ph.D. in system engineering and
4 I've been working and basically doing an analysis
03:07 5 and/or reviewing analyses in the aerospace industry.
6 And I must say, this is probably one of the best jobs
7 that I've seen because, first, you looked at the
8 requirements. You did a very good job of analysis of
9 how many homes will be built, what the traffic flow
03:07 10 is going to be, et cetera.

11 One of the things that people should
12 understand when they talk about wanting clean air is
13 when you build freeways and build toll roads and you
14 can get traffic moving at a decent speed, you have
03:07 15 less pollution than when they're sitting out there in
16 stop-and-go traffic. So you're actually reducing
17 pollution by introducing and approving this EIR.

18 Number two, you've done an excellent job of,
19 for example, of putting in the basins that are going
03:07 20 to catch the runoff water, for not just the 241, but
21 also 2.2 miles of the 5. It's a very nice job.
22 You're actually going to make it better down there
23 than it is today.

24 And finally, I was very impressed by the
03:08 25 dynamic analysis that they did with all the fluid

1 flow around the beach area to show it really would
2 not affect the surfing, et cetera. Very, very
3 thorough, your staff did an excellent job.

4 Everyone talks about the environment.

03:08 5 You've addressed all of the environment issues. One
6 of the big things a few people have mentioned is the
7 tremendous economic issue. Building the toll road is
8 absolutely vital to keep the economy of Orange County
9 continuing to grow and continuing to flourish like it
03:08 10 has over the last 20, 25 years.

11 So the facts and the data both support
12 building the toll road, and I urge all of you to vote
13 and approve the EIR and the selected green
14 alternative. Thank you.

03:08 15 CHAIRMAN RYAN: Thank you.

16 Yes, ma'am.

17 And then, sir, you'll be our last speaker
18 today.

19 MS. TRITZ: What about me?

20 CHAIRMAN RYAN: Oh, you'll be our second to last
21 speaker.

22 MS. JAISY: Good afternoon. My name is Sally
23 Benedict Jaisy and I've lived in San Clemente since
24 1949, over 56 years. We need to respect the values
03:09 25 and the wishes of the majority of our residents.

1 Sometimes this is very difficult. The Interstate 5
2 is near capacity. The toll road is the best
3 alternative to reduce traffic congestion, one that is
4 sensibly designed, carefully managed and
03:09 5 environmentally sensitive.

6 With the recent disasters in Louisiana,
7 Mississippi, Alabama and Texas, we should all think
8 about the readiness of our city if a major earthquake
9 or other disaster occurs. If just one of the current
03:09 10 Interstate 5 overpasses in San Clemente was damaged
11 due to a quake, this would literally bring our city
12 to a standstill.

13 I oppose adding more lanes to Interstate 5.
14 There would be a huge impact to San Clemente
03:09 15 residents. The Interstate 5 would no longer be a
16 freeway dividing our town. It would be a giant
17 superhighway. This superhighway would increase
18 traffic and noise pollution through the heart of our
19 city, and we would still have only one way in and one
03:10 20 way out.

21 The toll road will be paid for by the people
22 who use it, not from California tax dollars. Growth
23 has already occurred and we need another way in and
24 out of our city. We have known for over 20 years
03:10 25 that the Foothill Transportation Corridor would

1 become a reality.

2 I am asking the TCA board of directors to
3 support the 241 South. Thank you for your time and
4 consideration.

03:10 5 CHAIRMAN RYAN: Thank you.

6 Yes, sir.

7 MR. McCONVILLE: Mr. Chairman and members of the
8 TCA, I'm Tad McConville. We've had a lot of real
9 short-timers here talking to you. My family came to
03:11 10 this valley in 1862 in a covered wagon, and it was a
11 beautiful area at that time. It's changed
12 substantially now.

13 I'm speaking today now as a life member of
14 American Society of Civil Engineers, the largest and
03:11 15 oldest organization of professional engineers in the
16 United States. And I'd like to first compliment the
17 TCA for maintaining some construction of
18 transportation facilities during the last decade,
19 when the division of highways just fell flat. Of
03:11 20 course, the other agency that maintained this was the
21 Metropolitan Orange County Transit Authority. If you
22 didn't have those two agencies, we would have had
23 nothing going in Orange County during the last ten
24 years, and please keep up your good work.

03:11 25 Now, the -- many people talk about the

1 pristine area of San Mateo Creek. I can remember San
2 Mateo Creek, and I'll bet there are a few people who
3 can, when it was a pristine area. There were
4 beautiful oak trees, rolling -- and it was pristine,
03:12 5 but now it's nothing but a big commercial
6 agricultural area. It's not a pristine primitive
7 area.

8 And we have -- in the city we have a very
9 active history and historical committee. And I asked
03:12 10 them to look into the history of transportation in
11 this area. They found by researching archives and
12 going into the -- talking to some of the older
13 families in Orange County, that when Portola and
14 Sergeant Yorba came into Orange County, the first
03:12 15 Caucasians, they came practically up this alignment
16 that you propose.

17 They camped along the alignment just north
18 of where the commercial agricultural area stops. And
19 in that area, in that spot, the first white child
03:13 20 that was born in California was born on that spot.

21 And so this is not a new transportation
22 corridor. This was used for major transportation
23 since the 1700s. And it wasn't until the railroad
24 was built along the coast that the major traffic
03:13 25 started to move over to the coastal area and move off

1 of this corridor. So don't talk about a pristine,
2 perfect area; this is an old, old corridor.

3 Every year the ASE prepares a report card of
4 the condition of the infrastructure, and I have to
03:14 5 tell you that this year and for several years the
6 most -- the transportation has received a failing
7 grade, and along with SCAG, the Southern California
8 Association of Governments, also gives transportation
9 a failing grade. You're one of the few bright areas
03:14 10 that keep us from failing, being a complete failure.

11 And we certainly urge that you proceed with
12 the adoption of this EIR. This is the most complete
13 and comprehensive environmental assessment that our
14 engineers have ever evaluated. It covers everything
03:14 15 I can possibly think of.

16 CHAIRMAN RYAN: Thank you, sir.

17 MR. McCONVILLE: And let's not waste any time.
18 Let's adopt it and let's start on construction.
19 Thank you.

03:14 20 CHAIRMAN RYAN: Thank you.

21 DIRECTOR CAMPBELL: Tad, would you tell the
22 board what your role was in infrastructure in Orange
23 County, what your role was.

24 MR. McCONVILLE: Oh, Mr. Chairman, I was -- for
03:15 25 20 years I was the growth commissioner of Orange

1 County. And I sat on a committee -- a statewide
2 committee that adopted the present freeway system. I
3 was the resident engineer on the first freeway that
4 was built in Southern California to widen the freeway
03:15 5 through the Cahuenga Pass and I have prepared
6 exhibits and the hearings for the adoption of the
7 freeways that we now have in Southern California and
8 it's been a real pleasure and I've enjoyed every
9 minute of it. Thank you.

03:15 10 DIRECTOR CAMPBELL: Thank you for your service.

11 CHAIRMAN RYAN: You're the last speaker today.

12 MS. TRITZ: I had a feeling I was to be today at
13 9:00 a.m. in the morning.

14 Good afternoon, Chairman, and distinguished
03:16 15 committee members. My name is Irene Tritz and I've
16 been a resident of Orange County for over 30 years
17 and a resident of Mission Viejo for more than
18 18 years. I retired last year as the postmaster of
19 Rancho Santa Margarita, Trabuco Canyon, Coto de Caza
03:16 20 and Foothill Ranch, so I've seen a lot of the
21 development in this area.

22 I also have supported over many, many years
23 many of the environmental groups, such as the
24 Yosemite Fund. I'm a ten-year member of the San
03:16 25 Diego Zoological Society, the National Trust Fund,

1 the Audubon Society, the Sierra Club, and other
2 organizations, to even preserve our historic
3 buildings. So I do value the past, the history of
4 our county and of our communities. However, I am
03:17 5 here to speak in favor of the extension of the 241
6 Toll Road because it's absolutely necessary.

7 In 1987, when my family and I moved down
8 here to Mission Viejo, we had two quail cross our
9 driveway and deer at the end of the street. We
03:17 10 actually felt we died and went to heaven, but as all
11 things do change with progress, that has changed too,
12 and as well it should, because you can't stay
13 stagnant in a world that's trying to progress and
14 move forward.

03:17 15 To allow development which must occur brings
16 a responsibility not only to the environment, but
17 also to the people who are inhabiting that
18 environment, and that is why I'm for the extension of
19 the 241.

03:17 20 To hold us captive with insufficient egress
21 and ingress to the communities we live and work in,
22 is comparable to having an overcrowded banquet hall
23 in which there's a fire and there's one door to get
24 out. That is not conscionable to do to the people
03:18 25 who live here, and our obligation and duty is to the

1 citizens of this community and the communities that
2 use this area first.

3 One of the speakers just before me had
4 mentioned about the earthquakes. Well, that's a
03:18 5 thought, too, that if the I-5 were to cave in, how
6 would we get out? Not only that, living in today's
7 world is not the same as it was many years ago. We
8 daily face issues of terrorism. Is it really
9 something that all of you would want to put your eggs
03:18 10 in one basket that the I-5 is the only way we have to
11 get in and out of this area.

12 Thank you very much for your time.

13 CHAIRMAN RYAN: Thank you very much.

14 Ladies and gentlemen, I'm going to close the
03:18 15 public comments period, and just on behalf of the
16 board, I want to let every one of you know how much
17 we appreciate your civility and respect for the
18 process and differing opinions regarding this
19 subject.

03:19 20 I think what I would ask is that our staff,
21 who have been diligently taking notes today, evaluate
22 the comments that were taken -- given to us today,
23 both in opposition and support, as well as
24 suggestions, and do some homework on that to bring
03:19 25 back a week from today for this board to discuss and

1 potentially take action on.

2 We do have a couple of items on our agenda,
3 just procedure matters, and after that I'll be asking
4 a member of the board to make a motion to continue
03:19 5 this item a week from today on the 19th at 9:30 in
6 the morning here, in the Mission Viejo council
7 chambers.

8 I want to thank the mayor for allowing that
9 to occur, as well as our men in uniform for being
03:19 10 here today. We didn't need them. You folks were
11 great because of the instruction.

12 Unless there's anything else from the board,
13 we will move into Item No. 3.

14 Yes, Director Campbell?

03:20 15 DIRECTOR CAMPBELL: Yes, Director Ryan. There
16 were five issues raised for me by the public that I
17 would make sure that the staff addresses. I'm sure
18 they've got them, but if I could just say them.

19 CHAIRMAN RYAN: Absolutely, go ahead.

03:20 20 DIRECTOR CAMPBELL: One, the Sierra Club
21 suggested they've done an alternative analysis of the
22 I-5 widening impact. I would appreciate it if staff
23 could give us an appraisal of that analysis.

24 The second would be how confident are we of
03:20 25 the proposed cleanup, water runoff techniques planned

1 for this toll road, vis-a-vis our experience with the
2 73.

3 Three, what, if any, sacred sites are
4 impacted.

03:20 5 Four, what is the status of the anticompete
6 impact on the widening or the choke point
7 improvements on the 5.

8 And, five, what is the impact of adding four
9 to six lanes of traffic to the I-5, south at the
03:21 10 connecting points.

11 Those were the keys points that I walked
12 away with from here.

13 CHAIRMAN RYAN: Thank you, Director Campbell.

14 Is there anything else that any board
03:21 15 members want to make sure we really cover?

16 DIRECTOR NORBY: Yes. Thank you, Chairman Ryan,
17 I appreciate that. I would like to add to that list
18 that we look at the esthetic condition treatments
19 that we can do for sound walls and the infrastructure
03:21 20 where it comes into the Trestles at the I-5.

21 CHAIRMAN RYAN: Very good.

22 Director Amante?

23 DIRECTOR AMANTE: Just one more, just as a
24 reminder to staff, I know they've got it, but I want
03:21 25 to remind them of Supervisor Norby's earlier question

1 today about the competing numbers on the actual takes
2 if the I-5 widening alternative is considered.

3 CHAIRMAN RYAN: Very good.

4 Anything else, board members?

03:21 5 DIRECTOR MacLEAN: I would like to have staff
6 talk about the mitigation that we will do for this.

7 CHAIRMAN RYAN: All right. Hearing and seeing
8 nothing else, we'll move into Item No. 3. This is
9 public comments and is an opportunity for anybody
03:22 10 here who feels like they would like to address the
11 board on items that are not on the agenda. I didn't
12 see 150 hands go up, so that's good.

13 Moving to Item 4, do you have any report for
14 us today? Where are you? I see heads shake no. The
03:22 15 director's report, I have nothing to report as chair.
16 Any directors have anything for us today?

17 DIRECTOR NORBY: Mr. Chair, thank you for
18 running a smooth chair today.

19 CHAIRMAN RYAN: Thank you very much, Director
03:22 20 Norby.

21 Closed session items, do we have any closed
22 session items? Then I would entertain a motion to
23 adjourn to January 19th, 9:30, here in these council
24 chambers. Motion to continue.

03:22 25 DIRECTOR MacLEAN: Motion to continue.

1 CHAIRMAN RYAN: Thank you.

2 DIRECTOR THORTON: Might I suggest that we
3 actually make a motion to adjourn this meeting to the
4 19th.

03:22 5 CHAIRMAN RYAN: Okay, very good. I need a
6 motion to adjourn this meeting to the 19th.

7 MR. MacLEAN: Motion to adjourn.

8 CHAIRMAN RYAN: The motion has been seconded.
9 All in favor?

03:23 10 (Whereupon the board of directors
11 were all in favor.)

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

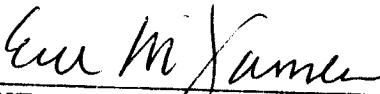
That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were placed under oath; that a verbatim record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription thereof.

I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.

IN WITNESS WHEREOF, I have this date subscribed my name.

JAN 24 2006

Dated: _____



EVE M. JAMES, CSR
CSR No. 9934

MONADOPOLON

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